# Bombay Gazette.

PUBLISHED TWICE A WEEK—ON WEDNESDAY AND SATURDAY MORNING—PRICE RUPEES THIRTEEN PER QUARTER.

VOL. XVLI. ] SATURDAY, DECEMBER 5, 1835. [ No. 2,539.


THE RIGHT HON'BLE THE GOVERNOR requests the Company of the Officers of His Majesty's and the Hon'ble Company's Civil, Military, and Naval Services, at a Ball and Supper, on Thursday Evening, the 31st of December, at 9 o'clock, to celebrate the Birth-day of His Majesty the King.

O. FELIX,
P. S.

GOVERNMENT HOUSE;
*Parel, 4th December*, 1835.

## ADVERTISEMENT.

APPLICATION having been made to the Supreme Court of Judicature at Bombay, that letters of Administration (with the will annexed), of the Goods Chattels rights and Credits of ANTHONY SEYMOUR ESQUIRE, late a Major in the 20th Regiment of Native Infantry of the East India Company on their Bombay Establishment deceased, may be granted to WILLIAM FENWICK ESQUIRE, the Registrar of the said Court. All persons concerned therein, are hereby appriz-ed thereof,—Dated this 3d day of December 1836.

H. E. SOUTHOUSE,
*Proctor.*

## ADVERTISEMENT.

APPLICATION having been made to the Supreme Court of Judicature at Bombay, that letters of Administration, with the last Will and Testament annexed, of all and singular the Goods and Chattels Rights and Credits of SAMUEL MACAN, late a Lieutenant in the Military Service of the United East India Company on their Bombay Establishment deceased, may be granted to WILLIAM FENWICK ESQUIRE, Registrar of this Honorable Court. All persons concerned are hereby apprized thereof.—Dated this 3d day of December 1835.

D. B. SMITH,
*Proctor for Petitioner.*

## ADVERTISEMENT.

APPLICATION having been made to the Supreme Court of Judicature at Bombay, that Letters of Administration of the Goods, Chattels, Rights, and Credits of F. H. GOGGIN, late an Ensign in the Military Service of the East India Company, on their Bombay Establishment deceased, may be granted to WILLIAM FENWICK ESQUIRE, Registrar of the said Court; all persons concerned therein, are hereby apprized thereof.—Dated 12th November, 1835.

## ADVERTISEMENT.

TURNER AND CO. Coach Builders, Painters, and Trimmers, Harness and Saddle makers, beg leave to inform the Inhabitants of Bombay and out Stations, that they have now enlarged their Establishment, situated in Kalbadavie street, outside the Fort, where all orders received will be duly and punctually attended to.

Officers Commanding corps at out stations, can be furnished with Stocks, Peaks, Chin straps, Saberdashes, Sword Belts slung, and with frog of patent Leather by giving warning one month before the time they require them. Oil cloth and Patent Leather can be furnished at any time.

*Bombay, 5th December*, 1835.

## CARD.

W. WETHERELL begs leave to inform the Gentlemen of Bombay and its Vicinity, that he is about to establish a Viterinary establishment in all its Branches, and hopes by the constant and skilful manner of the performance of his profession, he shall meet a share of the public favour.

N. B. W. Wetherell has served his time to the above profession under Coleman, Viterinary College in London. All orders will be received at NASSERWANJEE MANACKJEE'S Stable at Byculla.

*Bombay, 5th Dec.*, 1835.

## TO LET.

A SPACIOUS and Airy Suite of apartments commanding a view of the Esplanade, well adapted for a dwelling house or office—for particulars apply to

SPRAGUE, FRITH AND CO.

*Rampart Row, 5th Dec.*, 1835.

## COMMISSION GOODS.

BECK AND CO. Beg to invite attention to the undermentioned Goods recently imported viz.; an Invoice of Oilman's Stores, from Powell and Brown, comprising Sauces and Catsups of sorts, Capers, Olives, Mustard, Pickles in variety, Jams, Jellies, Marmalade, &c., prime Manilla and Bengal Segars, Bengal Ghoracco and Hooka Snakes, a handsome Backgammon and Chess board, with a set of elegant Chess men, and various other choice things worthy of attention.

*Apollo House, 5th Dec.*, 1835.

BECK AND CO., respectfully intimate to Merchants, Shop Keepers, and others, that they continue to transmit goods of every description to outstations, upon moderate terms—with the utmost possible care and despatch.

*Apollo House, 5th Dec.*, 1835.

## NOTICE.

THE undersigned have returned to their former Premises, No. 1 of "Dady's Buildings," Forbes Street, within the Fort.

WOOLER AND CO.

*Bombay, 1st Dec.* 1835.

## PROSPECTUS.

TO be Published on the 1st of January (On English Paper and good Type) THE BOMBAY CALENDAR AND DIRECTORY, for 1836, containing a Historical and Topographical Sketch of the Island of Bombay and its more immediate dependencies—(accompanied by a Map); The Army List, Divisional, Brigade and Garrison Staff, the Medical Establishment, the Civil List, the Home Establishment of the Indian Government, the Ecclesiastical Establishment of the Churches of England and Scotland in India, the Indian Naval List, a List of H. H. the Nizam's Army, a List of the European Inhabitants of the Island of Bombay, Marryat's Code of Signals, with a variety of other matter, which has not hitherto appeared in any similar publication at this Presidency, the particulars of which, will be more fully given, as soon as a Table of Contents to the proposed Calendar is prepared. As only a limited number of copies will be struck off, Subscribers are requested to send in their names to the Gazette office, where copies *five Rupees each*, will be delivered upon Publication.

*Gazette Office, 5th Dec.*, 1835.

FOR SALE.—Respondentia Bonds, each..... Rs. 1
Ships Articles..... „ 1
Policies of Insurance..... qrs. 2
Bills of Exchange, per set..... „ 2
Interest Bonds..... „ 2
Bills of Lading..... „ 2
Powers of Attorney, each..... „ 2

☞ All Orders for Letter Press, and Copper Plate Printing, will be punctually attended to.

## FOR FREIGHT OR PASSAGE TO LONDON TOUCHING AT THE CAPE.

EXPRESSLY fitted out for Passengers the most splendid Bombay Teak built Ship "BUCKINGHAMSHIRE," of 1468 Tons, lately owned by the Honorable Company, C. F. HOPKINS, H. C. S. Commander, is expected to arrive here early in January next, and will have an early despatch, having a Surgeon attached, plans of her spacious and most splendidly fitted up Cabins may be seen, or to be had on application at the Office of Messrs. DADABHOY AND MUNCHERJEE PESTONJEE in the Fort.

P. S. This vessel may call at Malabar Coast, either for Freight or Passengers, provided sufficient inducement is offered.

*Bombay, 5th Dec.*, 1835.

## FREIGHT AND PASSAGE TO LONDON.

THE "MARQUIS OF HASTINGS," JOHN CLARKSON, commander, will be dispatched on 10th January. Carries a Surgeon. Plans of her accommodations may be had at the Office of Messrs. McGREGOR, BROWNRIGG, AND CO.

*Bombay, 5th Dec.*, 1835.

## NOTICE.

### MARINE DEPARTMENT.

The established signal at the several Flag Staffs on the Island of Bombay, for a Schooner or a Cutter is a cylinder painted red.

*By order of the Right Hon'ble the Governor in Council,*
E. M. WOOD, Lieut. Col.
*Secy. to Govt.*

*Bombay Castle, 28th November* 1835.

### GENERAL DEPARTMENT.

The Right Honorable the Governor in Council is pleased to republish the following scale of steam postage fixed on the 6th instant, on letters sent to England via the Red Sea, exclusive of inland postage; and to announce for the information of the public, that the same rates of steam postage will be collected on letters received from Europe, vizt.

| On letters not exceeding a sicca weight | Rs. | Annas. |
|---|---|---|
| or ½ a tolah | | 8 |
| 1.. ditto | 1 | „ |
| 2.. ditto | 1 | 8 |
| 3.. ditto | 2 | „ |
| 3.. ditto | 3 | „ |

and so on, one rupee being charged for every sicca weight or tolah.

*By order of the Right Hon'ble the Governor in Council,*
W. H. WATHEN,
*Secy. to Govt.*

*Bombay Castle, 28th November* 1835.

## NOTICE.

Memorandum of the gross quantity of opium, for which passes have been granted from Bombay and Malwa the season 1835—36.

BOMBAY.

Passes taken out up to the 24th ultimo..... chests 2,787
Ditto from 26th ultimo to this day..... 250
Chests 3,037

MALWA.

Passes taken out up to the 9th ultimo..... Chests 963
Chests 963

J. TAYLOR,
*Warehousekeeper.*

*Bombay, 2nd December* 1835.

## *GENERAL ORDERS*

BY THE RIGHT HON'BLE THE GOVERNOR IN COUNCIL.

### MILITARY DEPARTMENT.

*Bombay Castle, 24th November*, 1835.

No. 591 of 1835.—Assistant surgeon S. Fraser, is appointed to act for assistant surgeon Heddle, as storekeeper of the European general hospital.

*Bombay Castle, 26th November* 1835.

No. 592 of 1835.—The following promotion is made:—

*1st or grenadier regiment native infantry.*

| | *Date of rank.* |
|---|---|
| Ensign H. C. Rawlinson to be lieutenant, *vice* Stark deceased..... | 26th Feby. 1835. |

No. 593 of 1835.—Captain W. Ogilvie, of the 26th regiment native infantry, is appointed pay master of the Poona division of the army, *vice* Stark deceased.

No. 594 of 1835.—The Right Hon'ble the Governor in Council is pleased to assign the rank of conductor, to serjeant Joseph Reed, of the artillery, who is employed as head clerk in the office of the envoy at the Court of Persia, during such time as he may be so employed.

No. 595 of 1835.—By a resolution passed in the territorial department, under date the 24th instant, lieutenant Wingate, of the engineers, has been appointed to a special duty under the orders of Mr. Goldsmid, the assistant collector in charge of the purgunnas of Indapoor and Mahole.

No. 596 of 1835.—The Right Hon'ble the Governor in Council is pleased to cancel the general order No. 419.—dated the 29th of August last, placing the department of public works at the presidency and Salsette, under the control of the inspecting engineer of the Southern division of the army, and to direct that the inspecting duties appertaining thereto, revert to the chief engineer.

*Bombay Castle, 27th November* 1835.

No. 597 of 1835.—The Right Hon'ble the Governor in Council is pleased to direct, that in conformity to the instructions of the Honorable the Court of Directors, bearing date the 28th of December 1832, and published to the army on the 31st of May 1833, army rank be assigned to the several officers promoted to the grade of ensign, under the operation of the rule here referred to as well as prospectively to all others, from the date of their respective arrivals, and not as at present, from the date upon which they may be finally posted to corps in succession to vacancies.

*Bombay Castle, 28th November* 1835.

No. 598 of 1835. The Right Honorable the Governor in Council is pleased to establish the following regulations, which are similar to those in force under the Bengal and Madras presidencies, for the supply of chargers to officers of this presidency from the ranks, or remount cattle allotted to corps, and to observe that, as all cavalry officers have thereby the means of furnishing themselves with good cattle, commandants of corps will be held responsible that the officers under their command, are suitably and well provided with chargers agreeably to their rank.

I. In the first instance every commissioned officer of the horse artillery, of regiments of European dragoons and light cavalry, will be permitted to select from the remount cattle allotted to regiments respectively, each two horses as chargers, leaving the selection of horses from the ranks of their regiments to cases of *particular emergency on actual service in the field.*

Medical officers permanently attached to the abovementioned corps, riding masters and quarter masters not being commissioned officers, and veterinary surgeons, one horse each as a charger, on the terms hereafter to be mentioned.

It is to be understood that, the chargers selected from the ranks or from the remount now in the possession of officers, are to be included in the number of selections allowed to the individual and to be subject to the provisions of this regulation.

2. The selection to be regulated by seniority, and no second selection is to be made by any officer while his doing so will interfere with the first selection of a junior officer.

3. When either of the selected chargers shall die, be killed, stolen, captured, lost, shot by the recommendation of a committee, or reported by a committee unfit for further service from age, vice, disease or permanent unsoundness, the officer will be permitted to replace him by selecting a horse from the ranks or remount cattle, but on the principle laid down in the foregoing paragraph.

4. The selected chargers of officers, dying, retiring from the service, proceeding on furlough to Europe, or exchanging from a mounted to a foot corps, are not to be sold out of the regiments to which they belong, such horses, if no officer in the corps shall be desirous of purchasing them, are to be returned to the ranks, subject to the orders laid down in a subsequent part of this regulation (para. 10) with respect to the chargers which may be received back into the ranks at the request of individuals.

5. Officers returning from furlough to Europe, are permitted to select two chargers, as allowed in paragraph 1st, without referrence to former selection.

6. Horses selected under this regulation, are not permitted to be disposed of out of the regiment to which the officer belongs, unless they shall be reported by a committee unfit for the service from age, vice, disease or permanent unsoundness.

7. Under the sanction of the officer commanding the regiment, horses selected under this regulation may be exchanged for other serviceable selected chargers of officers in the same corps, in such cases both horses are to continue subject to the foregoing rules, but an officer may sell his selected charger to an officer of the same corps entitled to a choice, such purchase to stand in place of a selection and the seller allowed in regular succession to select another charger.—No sale or exchange of a selected charger is to be allowed until the payment of his price shall have been completed.

8. Officers desirous to return their selected chargers to the ranks, are permitted to do so, within one month from the date of selection, or from the date of their joining the regiment or being trooped without injuring their claim to another selection, provided the horse be reported by a committee sound and otherwise as fit for the service, as when selected by the officer.—An officer may also return his selected charger to the ranks after the time above specified, but in such cases he will not be permitted to select another in his room.

9. No horse whose age shall exceed ten years, is to be received back into the ranks.

10. When an officer obtains permission to return a charger to the ranks within the period of six months, he will be entitled to receive back from the paymaster, on a bill accompanied by all requisite vouchers, the sum which he paid for the horse. is returned to the ranks after the expiration of six months, a deduction is to be made from the price paid at the rate of 10 per cent per annum on the original cost, for the period elapsed since the horse was selected.

11. Horses selected as chargers are always to be branded with the regimental mark and entered on the descriptive roll of the regiment before they are delivered over to the selecting officer.

12. In all cases when an officer wishes to select, return, sell, or exchange a selected charger, he is to make a public written application to the officer commanding the regiment; and it is to be understood, that the proceedings of the committee are not complete until approved by the commanding officer.

13. The regulated price of chargers selected from the Bengal and Alligaum stud, is fixed at 800 rupees. Those from the ranks of regiments, or from the remounts, and not being stud horses, at 700 rupees.

The price of chargers selected by lieutenants in receipt of troop allowances, surgeons and assistant surgeons in medical charge of regiments, regimental captains and officers of higher rank, are to be recovered by four equal monthly deductions from their allowances, commencing with the first issue of pay subsequent to the selection, and in the case of subalterns, assistant surgeons not in medical charge of corps, quarter and riding masters, being warrant officers, by eight equal monthly deductions as above.

14. The horses of native officers are exempted from the provisions of this regulation.

15. When an officer dies before the price of the charger shall have been recovered, the horse, if reported by a committee, sound and otherwise fit for the service, is to be returned to the ranks, otherwise he is to be sold under the orders of the officer commanding the regiment, and from the amount of sale the sum remaining due to government to be paid to the military paymaster and by him carried to the public credit.

16. When an officer has selected a charger, he is immediately to transmit to the officer commanding the regiment, a certificate in duplicate, subscribed with his name, rank, troop, and reg ima

stating whence he received the horse, whether from the stud and by how many deductions the price is to be recovered, with reference to paragraph 13.

The officer commanding the regiment having satisfied himself of the correctness of the certificate, is to countersign it, to forward one copy of it to the military paymaster of the division in which the troop or regiment may be serving, and the other to the military auditor general, first causing a transcript of it to be entered in a regimental book to be kept for that purpose.

The commanding officer will then issue a regimental order, directing the officer in whose abstract the allowances of the individual who has selected the charger are drawn, to insert at the foot of the abstract a remark to the following effect, until the ordered deduction shall be complete d.

" Deduct from captain A. B's. allowances " rupees———being the first monthly deduction " ( or as the case may be, the 2nd, 3rd, or last ) on " account of a charger selected by him from the " troop, or remount, as the case may be."

The officer commanding the troop from which the horse shall be selected, is to notice the circumstance in a remark at the foot of the next muster roll or should the selection be made from the remount, the horse is to be considered as attached to the troop to which the officer selecting him belongs, and the remark to be inserted on its muster roll.

17. The receipt of the certificate specified in the first clause of the foregoing paragraph, is to be considered by the military paymaster as sufficient authority for making the ordered deductions, without waiting for any further information.

18. Cavalry officers claiming compensation for their selected chargers from being killed or disabled in action, or shot in consequence of contagious disease, will only be allowed to draw the regulated price which they may have paid for the same, deducting 10 per cent per annum for the period elapsed since the original selection of the animal from the ranks or remount.

19. At the close of each year the military auditor general will compare the certificates with the amount received on account of selected chargers, and will take immediate steps for recovering any sums due on their account, and officers commanding corps will transmit to that department as soon after the 1st May in each year as practicable, a general descriptive roll of all horses taken by officers of their respective corps, as chargers, with the names of the officers selecting them, dates of selecting &c.

In publishing these regulations for the guidance of officers of mounted corps, the Right Hon'ble the Governor in Council directs, that all former regulations or orders on the subject of remount horses be rescinded, and the intructions herein conveyed, be forthwith adopted in the several mounted corps of this army.

No. 599 of 1835.—In lieu of the office allowance ( King's and Company's ) at present drawn by paymasters of His Majesty's regiments on this establishment, the Right Hon'ble the Governor in Council is pleased to authorize from the 1st proximo, the same scale as is drawn by the corresponding grade of His Majesty's service in Bengal.

| | | | |
|---|---|---|---|
| A paymaster of light dragoons Rs. | 65 | 5 | 4 |
| A paymaster of a regiment of foot .. | 78 | 10 | 8 |

The above allowances are inclusive of office rent and office tentage and in lieu of writers, stationery and all contingencies.

No. 600 of 1835.—The Right Hon'ble the Governor in Council is pleased to direct, that an European non-commissioned officer or private of the engineer corps, be placed under the orders of the acting principal collector of Dharwar, to be employed in superintending the operations of boring for water in that collectorate.

*Bombay Castle, 30th November*, 1835.

No. 601 of 1835.—Assistant surgeon Prichard, is placed at the disposal of the superintendent of the Indian navy, for duty in that branch of the service.

No. 602 of 1835.—Surgeon J. Bird, of the 19th regiment native infantry, is appointed to act as surgeon to the European general hospital, during the absence of acting superintending surgeon Henderson, or until further orders.

No. 603 of 1835.—Captain J. S. Grant, executive engineer, Poona division, is allowed leave of absence for fifteen days, during the month of December next, to visit the presidency.

No. 604 of 1835.—Captain T. C. Parr, of the 7th regiment native infantry, is allowed a furlough to Europe, for three years, agreeably to the regulations.

No. 605 of 1835.—The following temporary arrangement are confirmed :—

Lieutenant T. Eyre, of the 3rd regiment light cavalry, to act as adjutant to that regiment, during the period lieutenant and adjutant Malet may be in charge of the regiment.

Ensign T. R. Prendergast, of the 10th regiment native infantry, to act as adjutant to the detachments of that regiment proceeding to Vingorla, Warree and Malwan, consisting of 300 rank and file, from the 13th instant.

No. 606 of 1835.—Mr. Andrew Nepean Aitchison, is admitted to the service, in conformity with his appointment by the Hon'ble the Court of Directors, as a cadet of infantry on this establishment, and promoted to ensign, leaving the date of his commission for future adjustment,—Date of arrival at Bombay, 14th November 1835.

Captain G. St. B. Brown, of the 7th regiment native infantry, and lieutenant F. Ayrton, of the regiment of artillery, have returned to their duty without prejudice to their rank, by permission of the Hon'ble the Court of Directors.—Date of arrival at Bombay, 15th November 1835.

No. 607 of 1835.—Capt. Payne's rank, as deputy assistant commissary general having through some informality in fixing it, become the subject of a reference to Government.—The Right Honorable the Governor in Council is pleased to declare that, it never was intended, that captain Davidson should be placed above an officer so much his senior in the department, and that the date of rank now assigned to him, is 15th January 1829, the day on which he was appointed to fill captain Molesworth's situation in the commissariat, and was authorized to draw the full allowances of the grade which he has occupied from that period.

*By Order of the Right Hon'ble the Governor in Council,*
E. M. WOOD, Lieut. Col.
*Secy. to Govt.*

## MARINE DEPARTMENT.

*Bombay Castle, 30th November* 1835.

No. 67 of 1835.—Assistant surgeon Prichard, is placed at the disposal of the superintendent of the Indian navy, for duty in that branch of the service.

No. 68 of 1835.—Lieutenant F. Whitelock, is allowed leave of absence for a period of eight months, to proceed into the interior of Arabia and Persia, for the purpose of perfecting himself in the languages of those countries.

*By Order of the Right Hon'ble the Governor in Council,*
E. M. WOOD, Lieut. Col.
*Secy. to Govt.*

## CIVIL APPOINTMENTS. &c.

### GENERAL DEPARTMENT.

*Bombay Castle, 26th November* 1835.

Mr. Gregor Grant, deputy civil auditor and mint master, returned to Bombay on the 17th instant, from the leave to Sea, grantedhim on the 4th ultimo.

*Bombay Castle, 2nd December* 1835.

Mr. William Courtney, returned to his duty, in the civil service of this presidency, on the ship Carnatic, which arrived here on the 1st of this month, with permission of the Hon'ble the Court of Directors, without prejudice to his rank.

*By order of the Right Honorable the Governor in Council,*
W. H. WATHEN,
*Secy. to Govt.*

### JUDICIAL DEPARTMENT.

*Bombay Castle, 26th November* 1835.

Mr. W. J. Lumsden, judge and session judge of Surat, is allowed one month's leave of absence, to visit the presidency, on urgent private affairs, under section XIV. of the absentee regulation.

*Bombay Castle, 1st December* 1385.

Mr. G. H. Pitt, received charge of the adawlut at Sholapoor from Mr. R. D. Luard, on the 17th November.

*Bombay Castle, 2nd December* 1835.

Mr. D. Greenhill, left the presidency on the 17th of October, and returned on the 19th ultimo, under the leave granted on the 7th October, published in the government gazette, of the 8th following.

### POLITICAL DEPARTMENT.

*Bombay Castle, 28th November* 1835.

The extension of leave granted to Mr. A. Malet, 2nd assistant to the political commissioner for Guzerat, on the 20th instant, is further extended on sick certificate, in conformity to existing regulations.

*Bombay Castle, 1st December* 1835.

Assistant surgeon Nicholson, attached to the Bhooj residency, being unable to perform his duties in consequence of sickness, assistant surgeon Winchester has been directed to afford medical aid to the Bhooj residency, until further orders.

*By Order of the Right Hon'ble the Governor in Council,*
J. P. WILLOUGHBY,
*Secy. to Govt.*

### TERRITORIAL DEPARTMENT.
### REVENUE.

*Bombay Castle, 27th November* 1835.

Mr. J. A. Dunlop, acting principal collector of Dharwar, is vested with discretionary authority to proceed into the districts, at such times as he can leave the suddur station, for the purpose of making investigations into the village accounts; and is allowed to take with him two of his junior assistants.

Mr. G. Giberne, collector of Tauna, is allowed an extension of the leave of absence granted to him on the 15th October 1834, for a further period of six months, under the terms of the government advertisement of the 21st instant.

Mr. M. Larken, to act as third assistant to the collector of Candeish, under the provision of the 22nd clause of the absentee regulation.

*Bombay Castle, 28th November* 1835.

Mr. J. M. Davies, 2nd assistant to the collector of Tannah, is to have charge of the talook of Salsette including Caranjah, in addition to the districts at present under his charge.

Mr. A. C. Stuart, assistant to the collector of Kaira, is allowed an extension, for one month, on sick certificate, of the leave of absence granted to him on the 31st ultimo.

Mr. J. D. Inverarity, third assistant to the collector of Ahmednuggur, is allowed leave of absence for one month, to proceed to the presidency, for the recovery of his health.

Mr. W. Stubbs, collector of Kaira, is permitted to proceed on deputation, into the districts.

Mr. C. Price, acting 2nd assistant to the collector at Rutnagherry, is allowed leave of absence for 15 days, under section XIV. of the absentee regulation, to enable him to join his station.

*Bombay Castle, 2nd November* 1835.

Mr. J. L. Johnson, superintendent of the cotton experimental farms in Guzerat, is allowed an extension, till the 15th instant, of the leave of absence granted to him on the 4th ultimo.

*By Order of the Right Hon'ble the Governor in Council,*
E. H. TOWNSEND,
*Acty. Sec. to Govt.*

## CORRESPONDENCE.

TO THE EDITOR OF THE BOMBAY GAZETTE.

SIR,—Assured that you will not object to publishing the enclosed copy of a letter from Commodore E. P. Kennedy, to Sir Charles Malcolm, I forward it to you, to show that we are not unmindful of the kindness and attention received from the officers of the Government and others during our stay in Bombay.

I am sure that the friendly feelings produced by our visit to this Presidency, will be long cherished by us.

Very respectfully, yours obediently,
C. K. STRIBLING.

*U. S. Ship Peacock, Bombay, Dec. 2nd* 1835.

COPY.

SIR,—I cannot leave Bombay without expressing thro' you, the obligations which I feel to the Master Attendant and the officers of the Dock at this place, for the prompt and efficient assistance which I have received in the repairs of this ship, and the Schooner Enterprize; without such friendly aid and assistance, our refit would have been attended with increased expense and delay.—I would at the same time desire to express, in the name of my country, the obligations I feel to the Gover nor in Council for his ready compliance with every request which I have had occasion to make: And I shall take care that the Government of the U. S. is duly informed of the same. Permit me also, to say, that for your continued personal attentions, I cannot express myself in terms equal to my feelings.

I am Sir, with great respect, yours obediently,
( *Signed,* ) E. P. KENNEDY.
*Commanding U. S. Naval Forces.*

To Captain Sir Charles Malcolm, R. N.
*Superintendent of the Indian Navy.*
*U. S. Ship Peacock, Bombay, Dec. 1,* 1835.

TO THE EDITOR OF THE BOMBAY GAZETTE.

MR. EDITOR.—You had a long article in your last on the invasion of India by Russia,—If one sheep leaps over a wall, two thousand will follow him. One man conjures up a possibility; and, if the case seems plausible, he will soon find followers.

It has been often and boldly before averred, that Russia has cast an eye towards the British tenure in the East. This she may have done; but, to venture to approach it, would indeed indicate the heighth of folly, unless you supnose that the genius and energies, the discipline and invincible prowess of Britain are now dormant and cannot be roused.

My Friend *Ratio*, said a few words on this subject to you, some time ago which, I think, are strong and conclusive; and they will bear to be told you again. He spoke, as if the *Russian Ministry* were *not dementate*, and as if the *British Navy and Army* could again play their part; and, if so, what has Russia to oppose to the conquerors of the world? that she should dare to threaten

BRITISH INDIA.

BOMBAY, *3rd December*, 1835.

COPY.

TO THE EDITOR OF THE BOMBAY GAZETTE.

*" Quem Deus vult perdere prius dementat."*

MR. EDITOR,—1. We have heard much of Russian project, but more particularly of that which has for it's object to assail British stability in this country, " by the invasion of it with a Muscovite Horde."

2. Do not, however, imagine that the Czar's diplomatic Corps are so deranged in intellect, and so defective in view and perception, as to adopt a measure, which would leave the *British Navy* and *Army in the rear* of this assemblage!

3. No General possessed of ordinary prudence and forcsight will make a forward movement until he has secured a rallying point, or a basis to which he may retire, and is certain that his line of operations is not liable to interruption. It was the signal attention paid to this primary object by the Great Captain, on commencing his career in the Peninsula, which constituted so marked a difference in the success which attended his measures, when compared with those of Sir J. Moore, who seems to have neglected so essential a principle of military warfare, which, as an almost inevitable consequence, in the event of meeting a superior opponent, leads to total overthrow and destruction, or at least to failure of object. No less faulty was Napoleon, when he advanced to Waterloo, without support, and without a basis of operation.

4. Unless, therefore, the Russian Cabinet shall be cursed by Providence, or unless the confusion of a second Babel should arise in the Reformed Parliament of England, which, clamorous for a wretched economy, shall paralize the mighty strength of Britain's naval and military power, the attempt to invade India,—however powerful the force may be, will, with the shores of the Baltic, the Black and the Euxine seas open to attack, lead to the certain destruction of the invading force:—

5th. " Vires acquiret cundo"—was a Roman maxim of conquest,—and do you really think the Russian Emperor is so regardless of the sound policy which this maxim inculcates, as to venture to advance his legions *ultra Indum*, and in the face of a British Army, which may certainly be considered at least their equal in every arm?

6. But it is lamentable, situated as Great Britain is,—the arbitress of the World—to witness the narrow and confined views of many of her new as well as old senatorial Representatives, who, while the arm of Russia is said to be held in extention, labour to reduce and curtail the means of compelling the sword which this arm wields, to be returned into its scabbard; for thus alone will the peace of the world be preserved, when it is known, that this arm will soon be rendered powerless.

7. But whether it is prudent in the British Government in India to leave open a door of entrance to any western opponent, is a distinct question, as are also the resources which this empire can display. It is more than probable, that Government is anxious to shut that northern door, if it could be effected with propriety. In the meantime, however, it would be well if the resources of this Country were more judiciously cultivated. " A man must " sow, before he can reap,"—and he must not expect an abundant harvest without due cultivation;—and, if the capital of a country is withdrawn, or the circulation of it curtailed, a proportionate extent of the industry and of the profits of the labour of that country must be arrested and reduced. These simple maxims the Government of the present day would seem to have set at nought, or to have inconsiderately neglected; and the soil is now rapidly becoming unproductive, and yields but little increase; and, as nothing is now given, so nothing can be expected or obtained; and the husbandman is in consequence reduced to difficulty and privation: for, getting but little, he can give but little. To maintain the honour and credit of the British Government, it would be well if those who direct it were to consider maturely and more wisely the evils which the reduced expenditure and the exportation of capital have inflicted on the country,—certain, that " those give not, who have it not."

( Signed ) RATIO.

BOMBAY, *29th May*, 1833.

TO THE EDITOR OF THE BOMBAY GAZETTE.

MR. EDITOR,—There are many parts of British history which depict a lamentable depravity of human nature, and show the necessity of bringing all, from the Prince to the peasant, under the influence of an efficient system of legal control and restraint. The fate of Lord Hastings here given you, is only one of a multitude of despotic and barbaric scenes, to which our forefathers were subject, during the lawless, tyrannic, and dark days of former times, which ought to make us rejoice that power is shorn of the means of committing acts of

VIOLENCE.

BOMBAY, *28th Nov.*, 1835.

### EFFECTS OF DESPOTIC TYRRANY.

At the death of Edward IV., his brother Richard, then Duke of Gloucester, forcibly obtained possession of the persons of the two young princes, the elder of whom was heir to the crown, and was styled Edward V. These little innocents he had conveyed to the Tower of London, and there caused them to be murdered. To assist him in this horrid plot, and in placing the crown upon his own head, he gained over the interests of several noblemen, and among them he wished to add the loyal and devoted Hastings. The latter individual nobly resisted the importunities of Richard, who, finding his integrity invincible, devoted him to immediate death. To accomplish his wicked purpose, the tyrant repaired early one morning to the council in the Tower, which was deliberating on the coronation of the youthful prince, and with a frowning aspect, biting his lips, and exhibiting all the marks of the most violent indignation: after some little pause, he said, " My Lords, what " punishment do those deserve who have " conspired against my life?" The question amazed the whole council, and Hastings answered in the name of the rest, " That whoso- " ever was guilty of such a crime, deserved to " suffer the death of a traitor." Immediately upon this, Richard laid bare his left arm, which was withered, in which condition it had always been, and vehemently attributed its disagreeable appearance to the sorcery and witchcraft of the queen and her associates. Astonished and somewhat thunderstruck at the violence and gestures of Richard, Hastings, with a noble spirit, could not avoid expressing his doubts about the truth of the information, and observed, " That if they are guilty, " they deserve to be punished."—Exasperated at this reply, and in the full venom of his wrath, " How," cried Richard, " dost thou dare answer " me with thy ifs, as though I had forged the " accusation? I tell thee, they have conspired " against my life, and thou thyself art one of their " accomplices." So saying, he struck the table with his hands and immediately the council chamber was filled with armed men; then turning to Hastings, he said. " I arrest thee for high treason." " Who? me! my Lord?" replied that nobleman. " Yes, thee! thou traitor." exclaimed Richard, and immediately ordered him to be seized by the soldiers. Determined on the destruction of the noble Hastings, Richard took an oath, that he would not sit down to dine, till the head of that nobleman was brought to him: " Make " haste, and shrive him quickly; for by St. Paul, " I will not dine, till I see his head off." A short period had scarcely elapsed, when the bloodthirsty monsters of his cruelty led forth the unfortunate Hastings, and, without the least compassion, beheaded him on a log of timber that accidentally laid in the way. Thus died Lord Hastings the owner of Ashby Castle.

This castle was one of the places in which Mary, Queen of Scots, was confined, in the winter of 1569. She remained in it about two months. It also was honoured by the presence of James I., who was entertained here by the Earl of Huntingdon several days. Thirty poor knights clothed in scarlet gowns, and wearing gold chains round their necks, are said to have waited at his table During th civil wars in the reign of Charles I. that monarch placed a garrison in it. The army of the parliament, however, according to a diary of one of their officers,—" closely besieged the cas- " tle; the town, however, is much visited with " sickness, and in the garrison or fort there are " said to be not above sixty men." By the same authority,—" we received the certain intelligence " and confirmation of the surrender of the strong garrison at Ashby-de la-Zouch, to Leicester forces." A short time after it was determined on by the same parliament, that this castle " should be " sleighted, and made untenable;" and that its demolition should be effected by undermining. The immensely thick walls and towers were so effectually shaken by the violence employed to throw them down, that several fissures were formed in the parts now standing. The castle, however, still preserves a considerable portion of its original grandeur, and fully merits the eulogy of its several panegyrists:—" It seems scarcely to " have known any bounds, either in the lines of " arrangement or in the altitude of the several " stories."—The great hall and the kitchen can be traced out; and also various chambers of state, the chapel, and a few other offices. Amid the ruins, rich door-ways, chimney pieces, coats of arms, and numerous other ornamental devices, have been found in a state of good preservation; and these, with its many walls that are still remaining, sufficiently convey no inadequate idea of its ancient strength and magnificence.—*Pinnock's Guide.*

### THE DURPUN.

WE understand that the Raja of Sattara has lately issued an order for appropriating a sum of 50,000 Rupees for making good roads through his territory. The first road selected by His Highness is that between Sattara, and the Neera Bridge, to which, it may be recollected, a road leads from Poona. We hear also, that the road between Sattara and Mahoolee which was out of order, has been lately restored to its former state. These measures certainly deserve applause.—*Bombay, Dec.* 4.

A correspondent, who signs himself " *A public voice*" has directed our attention to the departure of Col. Kennedy from the Presidency. This event which may in itself be regarded as a great misfortune to the literary community of this place, has bee aggravated by circumstances that gave rise to it. These have already been known, more or less, to most of our readers, and it is needless, to dwell upon them on this occasion. We have no doubt that there are few, if any,

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among the native or European acquaintances of that Gentleman, would not be rejoiced with our correspondent, at his appearance among them, should circumstances occur hereafter to give any grounds to their hopes.—*Ibid.*

We have to perform the unpleasant duty of recording the death of another distinguished individual of the native community. On Tuesday last, died at his house in Bhooleshwar street, the celebrated Lalljee Maharaj, the Gooroo of the Banyans, Bhatyas and other Vyshnava castes, and a respectable shroff. His loss is deeply regretted by his numerous disciples and followers, but by none than his aged father Govurdhunjee Maharaja, who is now left without a male child. Lalljee died in the prime of life, being no more than 40 years of age. To his amiable temper, he added a knowledge of Sunscrit, a tolerable acquaintance with the Shastras, and an extensive information on all subjects.—*Ibid.*

## ACCIDENT.

FROM A CORRESPONDENT.

The following circumstances of a most barbarous and atrocious outrage, was perpetrated on Tuesday the 1st instant, at mid-day, in a house occupied by many tenants, will we are sure, be considered altogether incredible, especially by the European part of the Community, and will tend to shew that whatever Government may do to render the police efficient, and notwithstanding the greatest exertions on the part of the establishment, all will be of no avail, while such an unheard of degree of apathy exists among the native population.

It appears that about one o'clock last Tuesday, a little boy ran to a police peon, who was stationed on duty in the Bhendy Bazaar road, and informed him that he had just then seen a man close by with his throat cut. The police peon repaired to the place pointed out without delay, and which was a house at the corner of one part of the Bhendy Bazaar, a narrow lane leading from it, and on entering a room up stairs, he found the unfortunate man sitting on the floor, which was deluged with his blood, having his throat cut in a most dreadful manner. He interrogated him as to the state in which he was, but found that he could not speak; he however got up and walking to an apartment in the same house, pointed to it and at the same time held up two of his fingers. It seems that this room was occupied by a Purdesee and a Bramin, who absconded the same morning, from which it is strongly suspected that they are the perpetrators.

It was ascertained by the Police peon, that after the barbarous act had been effected, the poor man had sufficient strength left to walk into the street, and that he sat down some time there, before his door; but although numbers of people were passing to and fro, and there is a well near the spot, to which many people continually resort for water, not a single individual had sufficient humanity to render him the slightest assistance, or even to give themselves the trouble to call the people for a length of time.

When taken to the hospital the surgeon declared that little hope could be entertained of his recovery, and he now lies at the point of death.

We are confident that the foregoing circumstances will hardly be credited, occurring as they did, at noon, and within hearing of numbers of people, whose inhumanity and disgraceful conduct on such an awful occasion, cannot be sufficiently reprehended. Unless people will exert themselves for their own protection, no police can possibly be expected to work well.

## HIGH WATER TABLE.

| Dec. 1835. | A. M. | P. M. |
|---|---|---|
| 5th Saturday. | 11 27 | 11 40 |
| 6th Sunday. | None | 0 21 |
| 7th Monday. | 0 43 | 1 03 |
| 8th Tuesday. | 1 24 | 1 39 |

## TO CORRESPONDENTS.

Several letters unavoidably postponed.

OVER *and* TERMINER received too late for insertion or notice.

# THE GAZETTE.

SATURDAY, DECEMBER 5, 1835.

No arrivals since our last. The Departures have been the French Ship *La Marie*, L. Briolle, Master, to Malabar Coast and Bordeaux; United States ship of War *Peacock*, C. K. Stribling Esqr., Captain to Sea; and the U. S. Schooner *Enterprise*, A. S. Campbell, Esqr., Com., to Sea.

IN to-day's columns will be found a full report of the evidence in the case of the *Lady Munro*. In now alluding to it our object is to draw further attention to the fact elicted in evidence, of the Serang being allowed to keep a watch. That practise is highly objectionable, and we are rather surprised at the little importance which appears to have been attached to it by the Court. A Serang is not a responsible officer, nor indeed can there be much confidence in his skill where skill is necessary, and where much depends on it. The fact of the Serang in the present case having mistaken the land for a cloud, gives a pretty good idea of his knowledge of the position of the ship, and the trust to be placed in him in the case of danger. But how can he know these particulars? He neither consults nor has been taught to consult a chart,—he knows little of the influence of currents beyond what he is told, nor does his science extend the length of telling him the necessary measures to be adopted to control the vessel while influenced by those currents,—in short, his knowledge is merely mechanical.

The Hurkaru has some very well written remarks on the subject of responsibility, and it will in future be for the interest of underwriters to guard against the possible chance of risk through the free and easy method of getting a serang to take turn about with the officer. The risks must certainly be considered greater in any vessel in which such a practise prevails.

IT is stated in the *Madras Courier* of the 24th ultimo, on the authority of some letters from Quilon, that the Bishop of Calcutta had arrived at the latter port on the 15th ultimo.

THE *Court Martial* at Bangalore for the trial of *Soobroyah*, the writer in the Commissariat Department there, seems to be progressing but indifferently well. Some days ago it was adjourned to allow time for the consideration of certain objections urged by the Prisoner, on the ground of the charges having relation to a period further back than three years from the date of the charge, the articles of war declaring that all charges to be tried under them must have originated within three years. That objection was in some manner disposed of, and the next is, whether the Prisoner, being merely a Writer in the Commissariat Department, is amenable to martial law. The prisoner has produced a letter under the hand of the Commissary General of Madras, under date January 1822, which contains the decided opinion that a writer in the Commissariat is *not* amenable to martial law.

Notwithstanding this objection, the trial was proceeded in, when the prosecutor produced a certain number of indents which were said in the charges to be false and fraudulent, but to the production of which, as *evidence*, the prisoner objected, until it was *proved* that they were false and fraudulent. This appears to have been rather an awkward thrust for the prosecutor, the parties who drew the Indents being both dead.—On these Indents seem to depend the greater number of the charges.

Indeed all parties concerned from beginning to end, seem only to have been playing their parts in a comedy of errors.

IT escaped us until now to notice the birth of an extraordinary and non-descript animal at Madras, y'clept a *Conservative*. Its nomenclature would indicate it to have some relation to a voracious breed of locusts which at one time over-run England, and which may still be found feeding on some sequestered spots there. Thanks to science, and the use of the tom tom, this destructive animal has been frightened from the more cultivated portions of that country, and can only now be found in those particular spots which depend for their verdure and freshness on the number of carcases which the "flight" may leave to rot there. But there appears to be something about this abortion at Madras which makes it still more curious and interesting, and leaves the question of its real origin a matter of great mystery. It has all the properties of the locust, but then its size and other properties and appendages leave science at fault as to the species to which it more properly belongs.

Its bray (we are told it does bray) being much like that of an ass, some of the foolish people at Madras set it down as nothing more than a common ass with rather extraordinary horns or feelers,—others more sagely concluded it was Balaam's ass, risen in judgment against the authorities over the way, for some of their late proceedings; and others, who were not so apt to hurry their conclusions, exclaimed, "what, a Conservative ass!"—But after all the science of Madras had been exhausted in the attempt to prove the species and parentage of this extraordinary phenomenon, it was at last whispered that some of the gentry at Government House knew all about it, and that in fact it was *intended to be* no more nor less than a giant who was to fight all the battles of the Government, and that the Governor and two or three Councillors had by their united efforts built it and licked it into shape after some three months labor. The last version gained considerable ground, and might have been the belief even until this day, had the *thing* itself not *spoken*, and when it did speak, it spoke in its own nakedness, the mantle of Balaam's mentor never having been caught, nor picked up.

After "pottering an immensity" as that self-sufficient little critic, Mrs. Butler, would say, or did say, this nondescript delivered itself in sounds or words to the following effect:

"*While* RADICALISM *is spreading like a contagious pestilence around and among us, corrupting the* VERY HEART'S BLOOD OF OUR STATE, *polluting in* OUR *religion the air we breathe, sapping the foundations of* OUR BLESSED CONSTITUTION, *and bidding fair to overthrow every principle of* SOCIAL *order and* DOMESTIC *tranquillity: while* BAD MEN *under the mask of liberty are fomenting by means of the* PUBLIC PRESS *the discontent of the people, and converting into a firebrand the instrument they might use for purposes of peace, while such is the state of things, every true friend of freedom and of his country must be impatient to see* FRESH ADVOCATES *come forward, and endeavour to* EXTEND *the influence of Conservative principles. Such and such alone are the principles we intend to advocate, and we have chosen our title accordingly.*"

There is a magniloquent peroration for you! The language of the unknown tongues is nothing to it, and the ranters are beat hollow.

We shall see how this piece of creation progresses. We could wish an extended existence to it, to see what dimensions it might attain, as it promises to be such a rare affair, but we fear it, like all other abortions, will have but a short lease to calculate on.

A LONG correspondence which had passed between the Court of Directors and the Governor General in Council, on the subject of the Agra presidency, has appeared in the last Calcutta papers which we received. It would occupy too much of our space to give them a place in our columns, but as they form a record of perhaps the most grasping desire for patronage which any Country or any age has produced, we deem it but right to take a passing notice of them.

It would appear that some correspondence had taken place with the Court on the subject some time prior to the meeting of the late Council at Ootacamund. The present correspondence refers to what had passed prior to that date, and follows up the subject.

We believe the burthen of the prior correspondence was, the difficulty the Bengal Government had in managing the immense tract of country which formed that presidency, and from that correspondence sprung the suggestion of erecting Agra into a distinct presidency.

The present correspondence opens with the approval of the separation of the territories which were to form the Government of Agra and Fort William respectively. So far well;—but with the relief from the duties, it would not suit Lord Bentinck to be relieved of the patronage of all the appointments to that territory;—no, and to secure these privileges the whole drift of his correspondence is directed. For that purpose the Governor of Agra, at his recommendation, was not to have even a shadow of power,—not even the nomination of his own secretary. The departments which were to be left to this man of straw were, the Revenue and Judicial, but not even was he to be trusted with appointing any person to any one of those! There is a great deal of unmeaning explanation given as to the necessity for the power being retained by the Supreme Government, which speaks but soberly for those who concocted it—if deception were the object, and still worse for those who allowed themselves to be deceived by it.

But the plan would not work, and we believe Lord Bentinck was the first to feel the difficulty. The present Governor General and Mr. Blunt recommended to the Court to abandon the plan altogether, and that a single individual authorised to represent the Governor General should be appointed instead. This suggestion appears to have been approved of by the Court.

A CORRESPONDENT who signs himself OVER and TERMINER points out the very great inconvenience which the public experience from the practice which now prevails of having two sets of Juries in one day, and suggests that the attendance should be on each alternate day.

We believe the present rule was adopted with a view to meeting the convenience of the public, rather than from any choice of the Court, but there can be no doubt that it would be much better to have one Jury for each day. As it now is, all the Jury have to attend in the morning until the first Jury is empanelled, and those on whom the lot has not fallen for the first Jury, have scarcely found their way to their homes when they must again proceed to Court in case of their being required for a second Jury about 1 or 2 o'clock. Thus each day is lost to them,—for, whether they are on or off the Jury, they have to be in attendance, or near at hand. But were one Jury for each day to be the rule, no party could suffer so much inconvenience. Some difficulty might arise in the arrangements for the ballot, but that could be easily obviated by keeping out the names of the Jury of to-day in to-morrow's muster.

By the adoption of some such rule the private business of individuals would not suffer so much interruption, and this is a consideration which the Court ought at once to attend to. The public cannot afford to waste some ten or fourteen days at a time (as, if we recollect rightly, was done at the Sessions before last) on public business, and when the business is so great as to require a lengthened attendance, the Court must see the propriety of making that forced and unpaid labor as light as possible, as it falls on those individuals who are the least able to make a gift of it.

SOME time ago we brought to the notice of our readers, the fact of General Wilson, a Companion of the Bath, and now "commanding the ceded Districts," having revived the order of 1822 which prohibits officers from corresponding with Newspapers annonimously. At that time we suspected that some of the young Gentlemen near at general Wilson's hand had been playing off their squibs about his ears, but from what we now read, they seem to have carried the joke a little too far. However, there appears something rather singular in the General being the first to think of reviving this order, and the first, since that revival, of putting it in force.

Should General Wilson wish to learn what credit he or the Government will get by attempting to act on this order, we would just direct his notice to the late prosecutions against the supposed authors of objectionable letters, where the prosecutors have found themselves so awkwardly situated as to wish with all their might, that they could get well out of the affair. The General may rely on it he has carved out more work for himself than even his skill can get well through.

As a specimen of the trifles which amuse and disturb the gentry in the "ceded Districts" we give the following which we take from the Madras Courier of the 24th ultimo:

COPY.

Lieutenant Edward Molloy, of His Majesty's Fifty Fifth Regiment of Foot, placed in arrest by order of Brigadier General Francis Whish Wilson, Companion of the Bath, Commanding the Ceded Districts upon the following Charges:

For conduct subversive of good order and Military Discipline in the following Instances.

"For having at Bellary, in the month of Oct, one thousand eight hundred and Thirty five, written, or been implicated in writing or sending to Madras for publication, and which was actually published in the newspaper of that place called the *Standard*, in Number Sixty four dated Twenty seventh of October, one thousand eight hundred and thirty five a letter under the signature of "SCHOOLMASTER ABROAD" stating as follows.

No. I. By what presumptive stretch of authority any Individual in Command can in breach of the seventh clause of the articles of war, detail an Officer in Command of Garrison to sit as President of a General Court Martial on prisoners under his command, still remains to be proved. The articles in question are perfectly defined and patent and on no account admit of any of the tortures of chicanery, let those who should take notice of such a "lapsus" turn their Military noses to the Ceded Districts and they may find a case in point."

He the said Lieutenant Edward Molloy thereby calling in question the General Order of His Excellency the Commander in Chief bearing date the eighth of August one Thousand eight hundred and Thirty five.

For having at the same place, in the same month, written, or been implicated in writing, or sending to Madras for publication, and which was actually published in the aforesaid newspaper at that place, in number sixty, dated seventeenth of October one Thousand eight hundred and Thirty five, a letter under a similar signature stating as follows.

"The Schoolmaster begs to refer an Interrogator in your last paper to G. O. 1828 August (he thinks) for the remarks of Sir G. Walker on an Individual carrying into execution illegal sentences of Courts Martial, and directing the removal of the same person from the Command of the Rifle Corps, let him and the Person in question re-read the admonition, and the Schoolmaster may well spare any further remarks, in Pharoah's army list he can refer and inform him of the name of the person Commanding the Centre Division."

He the said Lieutenant Molloy thereby meaning to hold up Brigadier General Francis Whish Wilson, Companion of the Bath, commanding the Ceded Districts, to personal obloquy among the Troops under his command.

For having at the same place and in the same month written or been implicated in writing, of sending to Madras for publication, and which was actually published in the newspaper aforesaid, in number sixty seven dated November the third, one thousand eight hundred and Thirty five, a letter under a similar signature stating as follows.

"No. 5, Can you point out any regulation authorizing the Officer Commanding a Ceded District to turn an officer out of his seat in a public (*Church*) as such *a case did occur* this day at Bellary Church which the Schoolmaster can scarcely credit. In great haste he takes his departure!"

All the above instances being grossly disrespectful and insubordinate, in contempt of authority, and in violation of the articles of War.

By order,
(Signed,) W. G. LEWIS,
*Deputy Assist. Adjt. General,*
Ceded Districts.

(A true Copy,
(Signed) W. G. F. LEWIS,
*Deputy Asst. Adjt. General,*
Ceded Districts.

*Head Quarters, Bellary, Ceded Districts, Nov.* 11, 1835.

## MILITARY ARRIVALS. &c.

ARRIVALS.

Suptg. Surgeon R. H. Kennedy, from Cape.
Surgeon Howison, from England.
Asst. Surgeon Murray, from Cape.
Lieut. W. F. Hay, 3rd Cavy., from Cape.
Major Hamilton, 21st Regt. N.I., from Kandeish.
Brig. Major Grant, Staff.
Major T. Marshall, 25th Regt., from Dapoolie.
2nd Lieut. E. Welland, Artillery, from Belgaum.

DEPARTURES.

Lieut. J. Hale, 22nd Regt. N. I. to Kandeish,
Cornet Taylor, 3rd Lt. Cavy., to Deesa.
Ditto Forbes, Do. Do., to Ditto.

## SHIPPING REPORT.

ARRIVALS.—None.

DEPARTURES.

Dec. 2nd.—French Ship La Marie, L. Briolle, Master, to Malabar Coast and Bordeaux.
Do. 4th. United States Ship of War Peacock, C. K. Stribling, Esqr. Captain to Sea, having on board Commodore Kennedy, U. S. servie.
Do. Do. Schooner Enterprisec, A. S. Campbell, Esq., Com., to Sea.

SHIPS LOADING.

For London,—Emma, Gilmore and Hero of Malawn.
Do. Liverpool,—Albion.
Do. Rio de Janeiro.—Brig Sa'ude.
Do. Bengal,—John Adam.
Do. Aboosur,—Nusserath shaw.
Do. Boston,—Shepherdess.
Do. Bordeaux,—La Marie.

VESSELS IN THE HARBOUR.

H. M. Ship Rattlesnake, 28 Guns.
H. Co's. Ship Hastings.
H. C. Sloops Coote, and Amherst.
Do. Do. Floating Chapel—Aurora.
Do. Do. Surveying Brig Palinurus.

FREE TRADERS.—Emmie, Albion, Hero of Malown, Gilmore, Marquis of Hastings, Morley, Malabar, and Carnatic.

COUNTRY SHIPS.—George Cruttenden, Nasserath Shaw, Meccai, Discovery, Tauze, Betsy, Abgarus, Jean, Sir Herbert Compton, Dona Carmelita, John Adam, Arethusa and Grab Shaw Byramgore.

Portuguese,—Sa'ude.
French.—La Marie.
American,—Shepherdess.

# CALCUTTA.

## CASE OF THE LADY MUNRO.

*Plea Side.*

SCOTT EXECUTOR OF AIKEN, *versus* APLAN.

This was an action brought to recover the sum of Rs 35,000 being the amount of an Insurance effected at the Ganges Insurance Office, upon the ship Lady *Munro*, which was totally lost on the island of Amsterdam; being Rs 30,000 upon the block, and 5,000 upon the cargo. The policy had been effected by Captan Aiken the owner and Commander of the vessel insured, who, having perished with the ship, the present action was brought by his executor.

*Mr. Clarke* opened the pleadings.

*Mr. Turton* stated the plaintiff's case. The vessel, and the cargo on which the policy upon which this action was brought was effected, sailed from Calcutta in the year 1833, on a voyage to Madras and New South Wales. She was wrecked on the island of Amsterdam, on the morning of the 12th October, in the same year, under circumstances which would appear by the evidence to be adduced before the Court. The only ground upon which could be possible to anticipate the defence that would be attempted to this action would be that of the negligence of the Commander of the ship, previously to and at the time of the accident. As far as presumption could be raised from human motives as operating upon human actions, the Captain of the ship in question, was one of the last persons to whom a suspicion of negligence or indifference could attach; for not only was his own life and fortune at stake, but his wife and family were in the ship with him, his brother being one of his officers, and who together with himself perished in the wreck. But independently of conjecture from motive, ample evidence would be produced to the Court, that the ship was well manned well officered, and navigated with the greatest vigilance and caution. It was a fact well established, that in many parts of the Ocean prevailed strong and variable currents, whose force and effect could be reduced to no rule, and however capable of being partially ascertained during a calm admitted of no measurement during a strong, or what is called a fresh breeze. With one of these currents in all human probability the *Lady Munro* fell in, when about 140 miles from the island of Amsterdam. The testimony of seamen would be adduced to prove that the course she then held would have kept her clear and wide of the island, but for such current. The watch was kept on the night upon which the accident happened, by the European officer till twelve; the Serang's watch then commenced, and the ship struck about one o' clock in the morning. This Serang, as to whose competency a question would probably be raised in support of the charge of negligence, is at this moment employed in the command of a vessel which has hitherto only been commanded by a European. That there was no negligence, will be most satisfactorily established; but even if there were, that it is held by modern decisions will not exonerate the Insurers, whose engagement includes the care and diligence of the Captain and crew. The loss in the present instance, were the Insurers held not to be liable, would in fact fall not upon the Insurers or his representative, but upon those who had advanced money on the ship, and for whose benefit the policy was effected.

The jurisdiction of the Court; the execution of the policy; the liability of the defendants as members of the Ganges Insurance Company, were admitted,—as were also the ownership of the *Lady Munro*, in Aiken; and due notice of the loss to the insurer, and that the plaintiff is executor of the late Captain Aiken.

To establish the case the plaintiff's Council, called

*Robert William Evatt*—I was chief officer of the *Lady Munro* when she last left Calcutta. She went to Madras, from thence to the Isle of France, from whence she sailed for New South Wales and Van Dieman's Land. The Isle of France is not in the road to New South Wales—we called to take in water and provisions. After we left the Isle of France, the ship was run ashore on the Island of Amsterdam on the 12th October, 1833. On the day previous at 12 o'clock our latitude was 37o 29'.—the longitude 71o 50'. This was on the eleventh, by nautical time twelve at noon. There was a mistake about the longitude, Doctor MacCosh published it 75o 40'. The accident occurred about a quarter to one on the morning of the 12th. I was below; I went down at eight. I left the 2d Officer in charge of the vessel. His name was Mr. Aiken the Captain's brother. His watch was from 8 till 12. There was a fresh breeze. It was heavy weather and a very dark night. There was no moon. We were going about nine knots, steering east-by-south-a-quarter south. The observations were taken by Captain Aiken, his brother and myself; we calculated to go at least 30 miles north of the longitude 74o 50'. Doctor MacCosh was a passenger on board. He took no observation; I should think he did not understand taking one. I account for the accident by a very strong current to the southward. The Serang took charge of the vessel when Mr. Aiken's watch ended. The Serang had served in the vessel five years. He had served in her before Captain Aiken had the command. I had sailed off and on with the Captain six years. In the *Lady Munro* 18 months. I had sailed in her as second mate before the 18 months in all about 3 years. During all that time the Serang was on board acting as Serang. The serang had charge of the vessel all along from the time the Captain purchased the ship. In my opinion he was a person competent to take charge of the watch—very much so. I have been 15 years at sea altogether. The tonnage of the *Lady Munro* was 254 tons. I have sailed in a vessel much smaller where the Serang was always allowed to take charge of the watch—a different Serang from the *Lady Munro's*. I mean a vessel of 100 or 110 tons. It is customary in small class vessels for the Serang to keep the watch—that is in vessels of from 250 to 100 tons. The ship went all to pieces on Amsterdam; a great many lives were lost. The Captain, his wife and children were drowned. There were two and twenty saved. The number on board was 97. Some of the cargo was saved. A great deal of silver plate and jewellery was saved. I don't know what became of it ultimately. Some of it belonged to a Mrs. Lardner. All I brought off was a sextant and a night spy glass.

*Cross examined by the Advocate-General.* Our crew were lascars and a few Portuguese people of this country. We had two officers besides myself. I have known the Captain's brother three years at sea. I think he was an experienced man, and yet the Captain, though his brother, did not appoint him chief officer. I was with the Captain before his brother came. The night of the accident was dark. The Captain was down below, I have known a Serang at midnight to keep watch in the neighbourhood of Amsterdam. When English Captains are near that Island, they will be upon deck all night if they cannot trust their officers. I believe the Serang had been in these parts before. He told me so himself. He did not tell me he had seen the Island. It was a night that required more then ordinary care and attention. Amsterdam is a very high Island. I don't think it is dangerous except approaching at night. It is usual when you are approaching rocks to guard against danger. I don't know that the Captain was on deck but he might have been, we two officers could have kept watch they whole voyage. It was the particular order of the Captain that the Serang should keep watch. We expected to be 30 miles North of the Island. It is not unusual to be out in your calculation in respect to longitude. Chronometers are very often out. If we were right in our longitude we must have steered clear of the island. We take the longitude as it is of consequence to our knowledge of where we are. We thus calculated whether we were nearer or further from Amsterdam. Chronometers are often out, and then of course the longitude is wrongly taken. I have sailed in other vessels in the coasting trade. I have sailed in the Bay of Bengal on board the Brig *Frederick*, where a Serang kept charge of the watch. In country vessels it is not customary to have an English Boatswain with a native crew. My deposition was taken at Madras. I spoke as to the longitude there. I said 75o 40', but I think it ought to have been 74o 50'. I forget whether I told Mr. Paulin about the longitude. I told him 75o 40' I told him wrong. The ship struck upon a sunken rock 30 or 40 yards from the island. It was very dark when I came on deck, misty with a fresh breeze. I speak from memory. I believe I told Mr. Paulin that the longitude was 74o 40'; I now say it was 74o 50' by a later calculation I have made. 75o 40' would bring us just 30 miles westward of the island. The island is laid down 30 or 32 miles too far east. I found that I was wrong in my recollection not in my former calculation. If the longitude had been 75o 40' on the course we were, we should have gone further to the northward. It was hazy, drizzling weather. The country traders go to Isle of France, New South Wales and Van Dieman's Land. I have known a Serang in charge in the Bay of Bengal. That requires as much attention as the open sea, perhaps more—So do the Sandheads—the coast of Madras as well as to the eastward. In steering east-by-south-a-quarter-south. we allowed for variation—east-by-south-a-quarter-south, was by compass. The latitude of the island is 37o 29', The longitude corrected is '77o24'. We were going 8½ knors the first two hours; 9 when she struck. She st ruck at one o' clock. [To Mr. Justice Malkin.] She would have run about 115 miles in 13 hours. fifty-or fifty two miles go to a degree of longitude in that latitude. We struck on the north-west. [To the Court.] The island is about ten miles in circumference. The wind was due north at the time she struck. From two in the afternoon due north by compass. In Horsburgh's last edition there is a difference of about 30 miles from the position of the island of St. Paul in the old charts, and Amsterdam is the same meridian. We did not then know the difference between the correct longitude and the charts.

*Dadoo sworn.* I was Serang on board the *Lady Munro*, I had been Serang on board from the time she was built about 7 or 8 years ago. I kept watch all along from the time I first went on board. I went on her first voyage to Moulmein, Singapoor and Malacca. I have been a seamen 30 or 40 years. I have been to England four voyages. I sailed from Bombay with Captain John Gower. I am from Bombay. My watch commenced at twelve on the night of the accident. It was a very dark night. It had been raining for three days. I got on my watch at twelve o'clock. After I got on my watch and was calling the people to come to me, the Doctor came to me and wanted to know the hour. I told him the ship was going east-by-south-a-quarter-south. The Doctor said it was raining he would go down. I desired one of the clashies to clue in the sail—the fore-top gallant sail. I went to the Captain's cabin and told him it was so very dark that I could not see. The ship soon after struck and made a noise, khut khut. The Captain came and looked out. The Captain was going down the ladder when the ship struck violently, I said what are we to do the ship is aground? He desired the main sail to be clued. There was a voilent impelling of water, and when she struck every body awoke. The Doctor and mate came to me. I went to the Captain and asked " " what am I to do? he was unable to utter a word. The ship was driven forward and went to pieces. I was standing on the quarterdeck and that was driven ashore, I hold a situation now in Company's Schooner at Madras I am Captain, Serang, every thing. An Englishman was Captain of her before. I have kept watch in other ships besides the *Lady Munro*. I was on board the *Lady Mulcolm*—there I kept watch, She was 200 tons, commanded by Captain Conwell, afterwards by Captain Roberts—under both I kept watch.

*Cross examined by the Advocate General.*—I had never been before to New South Wales. I had been several voyages to the Isle of France. It had been raining slightly for three days before the accident. I don't know about taking an observation on that day. The sun did appear but not brightly. I cannot tell whether they could take an observation. I took in the fore-top gallant sail because the rain increased and it was very dark. The wind had not increased. I took in sail and went and informed the Captain of the state of the weather. I did not remark a storm coming on. It was so very cloudy I could not see a person standing close by. It was not blowing. We could have put the ship about or worked her. She struck about 10 or 15 minutes after I came on watch. I cannot tell with greater exactness—I did not look at my watch although I had one with me. There was an elderly person who would not suffer the ladies to come up saying there was no danger. There were no Europeans on deck when she struck.

*Mr. Pearson for the defence.*—I cannot avoid feeling surprised that my learned friend should in order to establish his case rely upon the evidence, and upon the evidence alone, of parties who are so very deeply interested in the character that the disaster which is the subject of this action may wear when coloured by their account of it. Both my learned friend's witnesses must be powerfully influenced by a desire to make the best of the matter. As officers of the ship both are concerned, and more especially the Serang, he being in charge of the watch at the time of the accident. But divested of the partial representations of those interested witnesses, let us look to what are the actual circumstances of the case. I care not that this Serang has made voyages to England, he never kept watch on those voyages. I care not for his having kept watch in the *Lady Malcolm* or any other country vessel: I will prove that no one conversant in the business of insurance would underwrite a policy upon a vessel which was known to be navigated on such a system as permitted the middle watch to be kept by a Serang. It is said that the underwriter insures against the misconduct or neglect of the Captain. For my own part I never could nor ever did understand upon what principle such a decision could be made, nor can it be intelligible without we trace it back to its origin, and through its progress, which has been very gradual during the last 25 or 30 years. If we trace its history we shall find that it has been only by slow degrees that it has reached its present height. But however the general principle may have gained ground, that principle can have no application here. I never before heard of a Captain coming and saying. I will ensure against my own misconduct. It is stated that these policies are entered into for the benefit of whom the Captain borrowed money. If so they, as well as his executors can only claim through him, and the claim must stand upon the same grounds with his own. If he was guilty of misconduct, they no more than himself, can take advantage of his own wrongful act.

Now with respect to the question of negligence. It is said that when they were 100 miles from the island they took an observation. Let us see under what circumstances. The Serang at first says it rained for three days previous; but when he perceived the tendency of the question and catches the inference to which it leads, he says the sun did appear at intervals. Now let us look at the conduct of the Captain on the evening previous to the accident; how do we find him employed? We find him sitting talking with his passengers, laughing and drinking, going to bed at his usual hour, never appearing upon deck nor visiting the watch to see that the Serang was vigilant in his duty. Is that sufficient watchfulness in a Captain. If your Lordships have ever sailed near Amsterdam, watch perhaps you may, you will not fail to recollect that the Captain of an English crew, is always up and upon deck whilst in that dangerous neighbourhood. In this case a native of this country with a lascar crew is left to keep the middle watch. I do not blame the incorrectness of an observation nor impute the errors of a chorouometer as a fault of the Captain; but I do blame him that when aware of the frequent occurrence of mistakes in respect of the longitude, and that the island of Amsterdam must at the utmost be near at hand, that he did not employ more than usual vigilance and watchfulness. A common seaman on ordinary nights may be equal to take the watch, but such a night as that described and in such a situation, the Captain should have committed the charge to none but his best officers acting under his own inspection. The Captain however does not appear to have come once upon deck. It is immaterial whether his cabin was above or below; he himself was not upon deck, but the Serang was. Now this Serang appears from the whole of his evidence to have been utterly incompetent of the duty he was put upon. He loses his presence of mind, runs to the Captain and cries what are we to do? he is totally bewildered, he had kept no look out, he does not see the land till he is upon it, and he then runs to call the Captain. Now his negligence is the negligence of the Captain who so incautiously trusted such a duty to him. The ship was lost in consequence of that negligence and the Captain who occasioned the disaster and all who claim under him must upon every principle of reason and of law sustain the consequences.

Let us suppose that Captain Aiken had survived the wreck of his vessel, with what face could he have come into this Court, and asked at your Lordships hand reparation for a loss the consequences of his own negligence? But they who claim under and through him, must incur at the same time his responsibilities.

I will now call the witnesses whom in my view of the case, my learned friend ought to have called, and who will, I think, put the question beyond doubt.

*John MacCosh Sworn.*—I belong to the Company's medical establishment. I was a pasenger on board the *Lady Munro* when she was wrecked. I remember the day before the accident—an observation was taken on that day. The weather on the day preceding was rather fair. There was a strong breeze, and about noon it was fair. I do not understand navigation and do not recollect what was our longitude. I remember a conversation with the Captain about the situation of the ship. The Captain said we were then so near the Islands of St. Paul and Amsterdam as to render it probable we should pass about two in the morning. This conversation passed in the evening. The Captain was moving about between 8 and 9. I was on deck a little after midnight. There was a poop and the Captain's cabin was in the poop. I retired to my cabin about 9 or ten. It was a dark night with drizzling rain and a strong breeze. After retiring to rest, after midnight I came on deck. I saw the Serang then in charge of the watch. I saw no European on deck. I exchanged a few words with the Serang and went below. That night we had some toddy—all the passengers were present. The Captain must have gone on deck to go to his cabin. I asked the Serang whether he had seen the Island. One of the passengers sent me word that land was in sight, that was why I went up I did not see any land. I expected to see land from the Captain having told me we should probably pass it about two in the morning. Seeing land was the general subject of conversation; the Captain observed that we should pass land before the morning. The Captain as near as I can recollect said he expected to pass about 13 miles from the Island. It was from 20 minutes to half an hour from my going on deck that the ship struck—it was about one o'clock. I state that time from conjecture. When the ship struck I ran on deck and found there the Serang. The only European that I saw was the Chief mate. The first was a very violent shock. I heard the Captains voice a few minutes after I came up. The weather was very dark with drizzling rain. I was a good deal alarmed and in some confusion. I saw the land about forty or fifty yards off. She struck more then twenty yards from the shore. The land we struck upon was upon the north west coast. The land was on the larbord side but the ship was on her beam ends I could not be mistaken in taking land for a cloud—the shore shelved down.

*Cross examined by Mr. Turton.*—I should say you could see the land from one to four hundred yards. I was sent up once upon a hoax to look for the land. I did not see the land when I first came out from the light of the cuddy. It was a cloudy dark night with drizzling rain. I cannot say who usually keeps watch nor who they send to the mast head. I have been frequently on deck and have seen the Serang keeping watch. I did not remonstrate. The glow of the phosphoric light of the water might have dazzled me had it shone in from of the ship. As near as I can recollect, it was thirteen miles the Captain mentioned as the distance at which we were likely to pass. The distance was a subject of general conversation. The Captain's wife and family and brother were on board. They must have had some regard for their own lives. Not keeping on deck was perhaps one of the Captain's failings— another might have contiued on deck. Cannot individualize any one instance of the Serang's negligence, but their was a general dissatisfaction at his keeping the watch. I am not aware of any other person having been played a trick about the land.

*Richard Howe Cockeril sworn.*— I am in his Majesty's Navy and have been four years on the Indian Station. I have never found a Serang in charge of a vessal—never to my knowledge. I have sailed to the Mauritius in a country trading vessel, the *Duke of Roxburgh* of 800-tons: no Serang was ever left in charge of that ship. I should say from what I have heard in Court that proper care was not manifested in this instance. The Captain ought to have been on deck.

*To Mr. Turton.*—I have no interest in the Ganges Insurance Company.

*In continuation.*— I have no personal knowledge of the island of Amsterdam: if the Captain had seen the land he might have luffed. I think he ought to have seen the land if he had kept a proper look out. You cannot try currents except in a calm. Currents are not well laid down in charts. The strength of currents depends much on the wind. I have had some experience of Insurance Companies. I dont know whether they would insure a vessel with the knowledge that a Serang was intrusted with the watch.

*Cross-examined.*—I never commanded a merchant vessel. I have been on board of other merchant vessels but in no other with a native crew. I have had a Serang in my own Schooner; I never trust him with charge of the vessel when afloat. She has never been to the Sand-heads except with myself. You might luff a ship in her own length. I should think a sailor after thirty years should be competent. It must depend upon the weather how far you can see the land. I cannot judge from a description of the state of the weather at night.

*R. Wallace sworn.*—I have sailed in several ships in the country service. I have been 20 years at sea, and have commanded a ship ten years, I have been for the greatest part in the country service. I have never left a Serang in charge at midnight. I never left a Serang in command. I have not known it done in any vessel I have sailed in, but I believe it is customary in the country service. In the country service they generally take the same kind of crew—lascars and Europeans. When they go to New South Wales they usually take two European officers, I have attended to the present trial. At the distance of 13 miles from Amsterdam a Serang ought not to be left in charge. An European has more presence of mind in danger. A native is more likely than a European to take a cloud for a island. A European would most decidedly be more likely to extricate himself from danger if he got into it. I should think a Captain would not take a proper degree of care if he was not out, and on the alert at the distance of 15 miles from Amsterdam. He should have been on deck. From the circumstance of the Serang being in charge, I think proper precaution was not taken.

*Cross-examined*—There are many things that will alter the course of a ship. When near the shore the Captain should be on deck and on his guard. Currents will however sometimes deceive him. It was my own case, I lost the *Sylph* from that cause. I had been at the spot where she was lost not less than 20 times before. I was on deck at the time. With two European officers in a place where, I had been twenty times before I lost the *Sylph*. I commanded a *Clipper* of 250 tons at one time. Those ships are not particularly well manned. We find the native seacunnies answer as well as Europeans between this and China. I went up the north-east coast. We had much cold weather. I took a native crew and had Europeans. I got on shore when in my own watch. I have twice been on shore whilst I commanded the *Sylph*. That vessel wss lost at 8 o'clock at night. In the channel vessels I believe use bells in foggy weather; they are notwithstanding sometimes run down. You may be within 20 yards of a ship and not see it. I recollect the circumstance of the 3 times going a shore off Beechy head. I don't know whether Amsterdam is as high as Beechy head. High land would not be so easily seen in the night as low when near, as it is generally enveloped in clouds.

*To the Court.*—When I went to the north-east coast I took more Europeans then usual. Lascars do very well there if supplied with warm clothing. If the Captain was convinced of his reckoning and could depend on his officers he need not be on deck. I was brought up as a ship builder, but have been 17 years in the country service.

*Captains Edwards, Oaks, Eales, and Thompson were examined* as to their opinion, who severally expressed their opinion to having heard the evidence, that the Captain ought to have been on deck, and that an European officer was more efficient than a Serang.

*Mr. Limond.*—It was formerly a stipulation that Arab vessels should be officered by Europeans not would be effect an insurance with the knowledge that the vessel would be left in charge of a Serang during the mid-watch. He would however have adjusted this policy for reasons which did not bear upon the point at issue.

*Mr. S. R. Crawford* confirmed the statement that it would be an objection to underwrite a policy if the ship was known to be entrusted to the charge of a Serang.

*Mr. Turton* rising to reply was stopt by the Court. The Chief justice declared that in this case there must be a verdict for the plaintiff. There might have been, and indeed it was in proof that there was, some degree of negligence on the part of the Captain, in being absent from the deck; but it is not shewn either that the accident occurred in consequence of such absence, or that if he had been present on deck he could have averted the disaster. The Court would not assume as a fact that the Serang was incompetent, in opposition to evidence of his competency.

Verdict for the Plaintiff. Rs. 33,000.

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We have been favoured with a highly interesting communication from Sir James Stirling, relative to an Anglo-Indian settlement in our new possessions in Australia, which we strongly recommend to the attention of our readers. The Governor of the new settlement draws no florid pictures of the country and its capabilities but by a plain, unvarnished account, which young men with small capital going from hence to the colony may expect to encounter in the way of temporary difficulties, and ultimate advantage, enables them to judge for themselves. He does not at all disguise the fact, that those who go to this new colony must be prepared to lay aside for a time the enjoyment of ease, pleasure and security; that they must look to encounter a long struggle with difficulties, hardship and dangers, which may never be rewarded. A very small sum, however, will maintain a youth, especially when he has attained, by instruction and experience, a certain knowledge of sheep and stock keeping. £200 vested in sheep, will yield a return sufficient to maintain a youth. The subject is well worthy the consideration of parents in this country.

We observe that reference is made in the document to the establishment of a regular packet between Bengal and the new Settlement—the Governor thinks that the measure may be accomplished. We should think that when a few more opulent settlers have arrived, there can be little doubt of it. The packet would, of course, carry some cargo, and we should suppose, that supplies of many articles might be sent from this place for the use of the Colony, which would yield profit enough to pay the expenses of the vessel.

The returns of produce would of course be *nil* for some time to come.—*Hurkaru.*

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We copied from the *Bengal Herald* so long ago as the 12th ultimo, an article on the arbitrary conduct of the Madras Government towards Mr. Lascelles recently restored to the service and his situation by orders from home, and on the manner in which the local order reappointing him is worded. We never recollect a case which more loudly called for the reprobation of the press, and we are pleased to observe therefore, that the *Bombay Gazette* whose remarks we recently quoted, and the *Delhi Gazette* which came in yesterday, have both noticed the subject in a becoming manner; but strange to say the Madras papers, which such a discussion would seem more immediately to concern, have not favoured us with their sentiments on the matter but passed it over *sub silentio!* The cause or the meaning of this ominous silence in a case in which justice was so shamefully violated it is for our brethren of the Sister Presidency to explain.—*Ibid.*

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## NEW SETTLEMENTS IN AUSTRALIA.

(*Extract of a letter from Sir James Sterling*)

Your letters of August 1833, of July 1834, and of last December, with their enclosures, are now before me. In looking over them, the first point which presents itself is the affair of the poor *Mercury*. You will have heard of the result of the first vessel which was sent to examine this coast to the north of this, last year, and of her return without success, after visiting Shark's Bay. This took place shortly after my arrival in October, and not being entirely without hope that she might have passed the wreck without seeing it. I sent a second expedition down there in November, consisting of the Colonial schooner, and a boat belonging to the *Hyacinth*, which Captain Blackwood detached for the purpose of keeping close in to the Beach all the way. The unsuccessful issue of this last attempt puts it beyond all doubt that the *Mercury* never reached this coast, and all future explorations in this quarter will prove fruitless or of no satisfaction to the friends of those who were embarked on board of her. These facts and opinions you will perhaps have the goodness to communicate to Messrs Pattle and Becher, if you deem them worthy of being communicated.

By this opportunity I purpose to address an official letter as Governor to ———, in reply to the copy of a letter he wrote and sent to me by the *Mercury*. This he will no doubt show you, and I hope the reference I have made to the King's Government upon this subject will satisfy you and others around you of my earnest desire to meet their wishes in affording every facility to them as regards the procuring of Land here. I think it probable that the Colonial Department will accede to my request, and give this colony a helping hand in the matter, particularly as it will not cost the Government any money.

The remarks contained in your letter of December last upon the subject of your ward have engaged my attention, and I send you the following reply thereon. In the first place, any person coming from you will be sure of the kindest reception from ———and myself, and you may reply on the exertion of our best means for his welfare. I have had already some conversation with ———, as to taking him upon his Establishment, but I shall not conclude this point until he arrives. There will be no difficulty in placing him as a pupil in some respectable family engaged in agricultural or pastural pursuits, and I do not know any line which promises greater advantages to a young man entering upon life, without great interest or means, than this same occupation of sheep and stock keeping in Australia. I have four lads here who came out to my care. They are exceedingly fond of the sort of life, and all its accompaniments, and I feel persuaded will be rich and independant in as short, if not a shorter, period than they would have been in any civil, military, or commercial pursuit whatsoever These young men have, or will have, about £1,000 each, when old enough to manage for themselves. In the meanwhile, my plan is to place them with proper persons to acquire the habits and knowledge necessary to their preparation for entering upon the care of their own concerns. I pay from £60 to £100 for their board, lodging and instruction for the first year, and after that the sum decreases as they become useful. This outlay may be provided for by the purchase of a little stock such as sheep to the extent of £200, which will yield a clear income of 50 per cent; and thus you see how small a sum will establish and maintain a youth in this sort of life I have no doubt that this mode of provision will hereafter be much practised with the children of Anglo-Indians, and in the case of your ward, I feel personally I can place him to advantage in this line, whenever you send him, and settle him comfortably in a family for the annual sum of £45. as you propose. As to your remittance of his capital hereafter, the plan you sketch out in your letter, by way of England, appears to be the best.

In your letter of last December you mention that you had been doing your utmost to establish a regular Packetship between Bengal and this colony. There is nothing which would benefit this place so much, and I indulge in the hope that it will be speedily accomplished. On the arrival of ———at this place, I will take care to examine the matter thoroughly and I think we may be able to do our part towards it. Until he comes, which will probably be by the *Isidore*, or the next vessel, I will not trouble you with further observations on the point; but as we have had lately an accession of two opulent settlers, who are proprietors of ships in these se as, I am persuaded the thing may be accomplished. Will you be so good as to thank ——— for the letters they wrote to me by the *Resource*, and take the same opportunity of informing them of my views above mentioned which will be made known to them in a more distinct shape so soon as I shall have an opportunity of talking over matters with their friends.

You seem desirous of having my opinion as to the introduction of the Dangas or Hill Tribe into this Colony. The question will be best answered by the following remarks. The leading occupations at present are tillage, stock-keeping, clearing, and fencing, and the handicrafts connected with buildings on farms. Do your friends above mentioned practice these arts? If they do, the value of there labour will be great. The wages of a common English farm servant at present are £25 per annum, with his keep, which costs on an average about £35 more? and yet it is highly profitable to employ him at this rate, and from your description of the Dangas, there is no reason to suppose them less able or industrious than the general run of our work men. Much of the success of such an importation will depend upon their being accompanied by masters who will understand their language, manners, and general management, in whom they will have confidence, and that they should be accompanied by those articles of food to which they are accustomed. There is nothing in the climate of the Swan River district to prevent them from coming, but the Southern districts near King George's Sound would be found I think too cold for them.

Notwithstanding the confident hope which I entertain of an extensive and intimate intercourse between India and this settlement in future times, I almost tremble at the thought of its commencement This feeling originates in the conviction of the importance of this connection to us, and in my apprehension lest the earlier visitan should be disappointed in their views, and attribute the failure to mean and contemptible endeavours on our part to inveigle them into the enterprize. The life of a settler in a new country is like that of a sailor in the season of winter, and no one should enter upon it who is not ready to relinquish, for a time, the enjoyment of care, pleasure, and security. It is a long continued struggle with difficulties, hardships and dangers, which may never be rewarded, and is therefore only suitable to those minds which can derive satisfaction from more than ordinary excitement, In this particular place we are not in point of fact an established Colony, and whoever comes with the expectation of finding it any thing but a wilderness will be deceived. Every thing in the shape of comfort or society has yet to be created, and those who arrive for the next ten years must be prepared to assist in the construction of the social edifice instead of being able at once to enter in and enjoy themselves. All these remarks are obvious enough to them who reflect at all upon the point, and I hope will not escape the notice of any of your friends who may come this way.—*Bengal Hurkaru, Nov.* 14.

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# AMERICA.

## CANADA.

It was justly remarked a few weeks ago in the House of Lords, that the state of Canada required the most earnest consideration, for there was no public question of greater moment, or which presented greater difficulties. According to a writer in the *London Review*, by whom the subject is ably treated, though we do not assent to all his opinions. "At this moment Lower Canada is virtually without a government. The public officers have for three years been unpaid; all communication between the various parts of the legislature has ceased; and the House of Assembly has passed resolutions impeaching the Governor. An immense number of temporary acts, absolutely needed for the very existence of society, have expired, and have not been renewed; and the last session of the colonial legislature has been brought to a sudden termination through disputes between the Governor and the House of Assembly: so that the administration of justice is unprovided for. The maintenance of the jails is not voted, and all the civil functionaries remain unpaid."

The immediate cause of these evils is to be found in the disputes between the House of Assembly and the Legislative Council.

This Legislative Council is said to represent the House of Lords in the constitution of Canada, which is supposed to be modelled after that of England.

"Nothing, could be more incorrect than this conception of the nature and utility of this Legislative Council and company. They are not an aristocracy like that of England, powerful by its wealth and by its large landed possessions. This supposed aristocracy of Canada are a set of hungry officials—poor and rapacious and possessed of no landed property but such wild lands as they have granted to themselves, and which generations yet unborn may see as wild as at present, They therefore cannot pretend to any of that species of influence which an aristocracy like that of England is, by its admirers, supposed to exercise. They are not the lords of the soil—they have no tenantry—they have no influence over the House of Assembly—here, in truth, in one view, we have in practice something like the *theory* of the English constitution. The House of Assembly and Legislative Council are two completely separate, equal, and checking bodies: and the result of this exquisite machinery is what philosophers have predicted would be the fate of an establishment of the theoretic constitution of England; viz, both parties have so effectually checked each other, that the government is at a stand-still, and nought remains but to destroy one body or the other.

Undoubtedly as long as Lower Canada is a British province the home government must have a control over the acts of the Canadian legislature. But in order that control may be properly exercised, it is evident that the home government ought to be responsible. The want of responsibility is the enormous evil. The Legislative Council is placed between the House of Assembly and the Governor—it is composed of officials; it therefore rejects all measures which meet not with the approbation of the Governor or the Colonial-office: and in so doing it is completely irresponsible: neither the Governor nor the Colonial-office can be blamed for its acts, which are supposed to emanate from an independent body.

Now if the Legislative Council were to be abolished, the Governor would still retain his negative, for the exercise of which he would be responsible to the Colonial Office, and the Colonial Office in its turn would be responsible to parliament. Thus responsibility would be substituted for irresponsiblity—malversation would no longer go on, nor be excused by the pretext that such was the wish of the independent Legislative Council of Lower Canada—independent indeed, of all popular or ministerial *control*, but not independent of influences fatal to the due discharge of its duty.

If the Legislative Council were removed, we believe that the government would be disembarrassed of an ally which only increases the difficulties of its position. Without this intermediate agent, we believe that it would much more speedily come to an understanding with the people on the points of dispute, on which we do not believe it will be found so much in the wrong as is said to be the case.—*The Globe, July* 16.

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# EUROPE.

## PROHIBITED MARRIAGES.

A BILL was lately introduced into the House of Peers by Lord LYNDHURST, (his Lordship having, no doubt, an eye to some especial case of hardship, or wishing to serve a friend) with the view to limit the time in which proceedings could be instituted in the Ecclesiastical Courts against parties contracting marriages within what are called by the Churchmen prohibited legrees of consanguinity or affinity. The bill goes to enact, that

. . . . "All voidable marriages, in consequence of being contracted between persons within the prohibited degrees of consanguinity, which have been celebrated more than two years after the passing of this Act, shall not hereafter be annulled for that cause, by any Ecclesiastical Court unless a suit for that purpose shall have been depending on the 1st of June of the present year."

And furthermore, that

"All marriages between persons being within such degrees of affinity as aforesaid, which have been celebrated within two years before the passing of this Act, shall not hereafter be annulled, by any such proceeding or sentence, unless a suit for that purpose shall be depending at the time of the passing of this Act, or shall be commenced within one year after the passing thereof."

Now this bill was so far a measure of relief. Under its provisions, for instance, a man who after the death of his first wife married her sister, would be safe from prosecution in the Ecclesiastical Courts, after the lapse of so many months. But then steps in that everlasting mischief-maker, Lord BROUGHAM, and instead of proposing to put an end to all suits, he procures to be inserted a clause which renders all *future* marriages prohibited by the Canon Law—not *voidable* only, as they were before, if certain vindictive proceedings were maliciously followed out—but "absolutely *null and void* to all intents and purposes whatsoever." The effect of this will be, that the children of a marriage in the circumstances supposed, will be illegitimate Instead of mitigating the injustice and severity of the law, Lord BROUGHAM would render it more stringent.

Perhaps the wisest and most rational marriage that, in very many cases, a widower could contract, would be with the sister of his deceased wife. There would be no consanguinity in the two parties; it would be different from the marriage of first cousins, which is *not* prohibited. It often happens that the aunt is all that a mother should be to orphan children. Is it not then morally right, if the parties themselves are agreed, that the widower should marry her? The fact is, that such marriages are daily contracted, with the full approbation of society. The priesthood in former days prohibited them, in order that money might be obtained by the sale of dispensations to the parties so offending.

It appears to us, that it would be far wiser in the Legislature to allow persons to intermarry according to their own inclinations: the influence of society will prevent whatever is offensive and unnatural. But if this is held to be going too far, at any rate let us not extend the reach of the Ecclesiastical law, in order to put a stop to marriages which may have every thing in their favour except old monkish enactments. Indeed, it has been seen that law *cannot* stop them.

Lord LYNDHURST's bill, after passing the Lords, has been twice read in the House of Commons, where it stands for committal on Tuesday the 14th. We cannot for a moment suppose that the House will sanction the perverse and indiscreet attempt of Lord BROUGHAM. The proper course for the whole Legislature would be, to abolish the jurisdiction of the Ecclesiastical Courts, and repeal the priest-made prohibitions. But if, by reason of the Bishops and bigotry in the Upper House, such a course should be thought too bold and principled, the next best thing is to place all future marriages of affinity on the same footing as those already contracted: it is proposed that *no* marriage already made shall be annulled unless challenged by process within one year after the passing of the new statute—give the like protection to all future marriages of the like kind, by limiting the power of challenge to one year after the period of celebration. This would be equal justice, as between the two sets of cases. Lords BROUGHAM's method is absolute injustice; Lord LYNDHURST's, even without the BROUGHAM taint, looks nothing better than a job.—*Spectator.*

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## ABERDEEN UNIVERSITIES BILL.

THIS important bill—for important it is, though bearing a local title—was read a second time on Monday evening, and committed for the 23d. Its promoter, Mr. BANNERMAN, very properly refused to listen to suggestions for delay, although such suggestions were made by Sir ROBERT PEEL as well as Mr. HUME. Delays are dangerous. The bill is an excellent one; founded on the Royal Commission of Visitation, issued by Sir ROBERT PEEL himself, in the year 1825. The Aberdeen Universities, situated within a mile of each other, granting degrees, superabundant in some Professorships, deficient in others, with an occasional sinecure or two, are by Mr. BANNERMAN's scheme to be united into one University, and placed under the management of a Rectorial or University Court, the powers of which are clearly defined. In that Court are to be vested, the funds, dowments, &c. of the United University; which are strictly to be appropriated for University purposes. Future Professorships are to be open to competition, or comparative trial; thus placing the patronage of the Crown, and moreover the Colleges, on such a footing as cannot fail to put an end to all political as well as jobbing appointments, and secure to the Publicity of accounts also, and an annual report of the state of the University, will be attended with the best effects. In short, we hail this measure, in its principle and details as the commencement of a new era in the Universities of Scotland. We hope, therefore, that the Honourable Member for Aberdeen will persevere in carrying this measure through Parliament. Whatever odium he may incur in some quarters, he will be rendering to the public, and to his countrymen in particular, an important service.

Example goes further than precept. Perhaps in the next session of Parliament the titular Member for St. Andrews may have a little spare time on his hands. We understand he was instrumental, in the year 1832, in procuring an addition to the salaries of the Professors in that University, from the Government of Earl GREY; and we believe the said Professors stood alone among their brethren of the North on a late occasion, and sent an address to the King thanking his Majesty for dismissing his *Liberal* Ministers, most of Lord MELBOURNE's colleagues in November last being the same individuals who two years before had bestowed additional salaries on the learned addressers!

We were glad to observe, that during the discussion of the Aberdeen Universities Bills, Mr. WARBURTON noticed that the evidence and documents laid before the Royal Commission of 1826, had never been made public, and proposed that they should be reprinted. Sir ROBERT PEEL concurred with the excellent Member for Bridport; and the House seemed to acquiesce in his suggestion. We hope, therefore that these documents may be soon within the reach of the public, and particularly the Members connected with the Scottish Universities.—*Ibid.*

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## THE TEMPORARY PARLIAMENT HOUSES JOB.

FORTY-FOUR thousand pounds have been expended in providing two temporary houses for the Lords and commons; yet the chamber for the Peers is found to have so many inconveniences, that they can only be remedied by a new building; and moreover, they are of so intolerable a kind, that they cannot be endured till the permanent place for the Legislature is completed. What share of the forty-four thousand pounds the chamber for the Lords cost, we are not informed: but as both chambers were completed out of buildings gutted by fire, it is fair to suppose that the cost of both was pretty much the same; the finery of the Peers' Chamber making up for its smaller size and fewer accommodations.

How are we to account for an experienced architect, well acquainted with the old buildings which he vamped up, with an unlimited command of money, sufficient time, and no one to

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interfere with him, fitting up a showy apartment that is not fit even for the temporary purpose it was designed for? It surely could be from no want of skill; for Sir ROBERT SMIRKE is the architect of many resptectable and commodious edifices. It must have arisen from precipitancy and want of forethought. Eager to secure the job the architect, without due consideration, roofs in the carcass of the old Painted Chamber; its only recommendation being, that there were four walls (rotten though they are) ready to receive a roof.

The architect now offers to raise a temporary chamber from the ground, seventy feet long by forty feet wide, for 5,000*l.*; which is only a quarter—or, leaving out of consideration the fittings, but a third—of the cost of the one that merely required to be roofed in and fitted up. The new temporary chamber, to be sure, will be a mere barn in point of solidity; for the lower part is to be of brick and the upper of wood; but this saving of cost is confined to the walls, which in the instance of the first temporary building were ready to hand. This glaring discrepancy, we fear, can only be accounted for by jobbing of the grossest kind.

But, judging from the architect's own description, the second temporary building will be less inconvenient than the first only in respect to size. In the course of his examination, Sir ROBERT SMIRKE says.—

"There is one point I ought to mention, that a room built as a temporary room must never be expected to be as convenient and as comfortable, if I may use the word, as a permanent one: it must be more slightly built, must be hotter and colder, and must be subject to variations which in a permanent building can be easily avoided."

Now this is the very inconvenience which Lord BROUGHAM made such an ado about in the present building. It is insufferably hot when the air is excluded, and intolerably cold when ventilated. Why were not these variations avoided, as Sir ROBERT says they easily are in a permanent building? Was not the old Painted Chamber a permanant building to all intents and purposes? Its walls are thick enough to exclude both cold and heat; and the planning of the arrangement was the architect's own. If he foresaw these disavantages, why were they not remedied; or if irremediable, why were they not stated at the outset, and the carcass abandoned as useless—as the costly gewgaw is now to be, after fifteen or twenty thousand pounds have been squandered—literally thrown away—on its tawdry decorations?

The excuse for the outlay of so large a sum on a narrow, antiquated apartment, was that it would afterwards serve the purpose of a library. Of its fitness for a library for the House of Lords or Commons, and of the policy of contriving a vast pile of building to include such a room, we leave the reader to judge.—*Ibid.*

## SCENES AND ADVENTURES AT SEA.

### COURSE OF THE SALDANHA AND TALBOT.

The following attempt to describe a scene which it has seldom been the lot of man both to witness and to survive, will possess a malancholy interest from the associations with which it is connected. We will only premise, by assuring the reader that the narrative is perfectly authentic, and was penned in a communication to a friend in Edinburgh, in almost the very words here set down. Some of our readers, perhaps may remember of an extract from it appearing in the Edinburgh newspapers of the time, being inserted for the purpose of allaying the fears of friends and relatives in that quarter, for the safety of those whom common report had, not irrationally, consigned to a watery grave:

Lochswilly, Dec. 10, 1811, H. M. S. Talbot,

At mid-day of Saturday the 30th ultimo, with a fair wind and a smooth sea, we weighed from our station here, in company with the Saldanah frigate of thirty-eight guns (Captain Pakenham, with a crew of three hundred men), on a cruise, as was intended, of twenty days the Saldanha taking a westerly course while we stood in the opposite direction. We had scarcely got out of the loch and cleared the heads, however, when we plunged at once into all the miseries of a gale of wind blowing from the west. During the three following days it continued to increase in violence, when the islands of Coll and Tiree* became visible to us. As the wind had now chopped round more to the north, and continued unabated in violence, the danger of getting involved among the numerous small islands and rugged headlands on the north west coast of Inverness-shire, became evident. It was therefore deemed expedient to wear the ship round, and make a port with all expedition. With this view, and favoured by the wind, a course was shaped for Lochswilly, and away we scudded under close-reefed foresail and maintopsail, followed, by a tremendous sea, which threatened every moment to over whelm us, and accompanied by piercing showers of hail, and a gale which blew with incredible fury. The same course was steered until next day about noon, when land was seen on the lee bow. The weather being thick some time elapsed before it could be distinctly made out, and it was then ascertained to be the island of North Arran, on the coast of Donegal, westward of Lochswille. The ship was therefore hauled up some points, and we yet entertained hopes of reaching an ancorage before nightful, when the weather gradually thickened, and the sea, now that we were upon a wind, broke over, in all directions. Its violence was such, that in a few minutes several of our ports were stove in, at which the water poured in great abundance, until it was actually breast high on the lee-side of the main deck. Fortunately but little got below, and the ship was relieved by taking in the foresail. But a dreadful addition was now made to the precariousness of our situation, by the cry of "land ahead!" which was seen from the forecastle, and must have been very near. Not a moment was now lost in wearing the ship round on the other tack, and making what little sail could be carried, to weather the land we had already passed. This soon proved, however, to be a forlorn prospect, for it was found we should run our distance by ten o'clock. All the horrors of shipwreck was staring us in the face, aggravated tenfold by the extreme darkness of the night, and the tremendous force of the wind, which now blew a hurricane. Mountains are insignificant when speaking of the sea that kept pace with it; its violence was awful beyond description, and it frequently broke over all the poor little ship, that shivered and groaned, but behaved admirably.

The force of the sea may be guessed from the fact of the sheet-anchor, nearly a ton and a half in weight being actually lifted on board, to say nothing of the forechain-plates board broken, both gunways torn away, quarter-gallaries stove in, &c. &c. In short, on getting into port, the vessel was found to be loosened through all her frame, and leaking at every seam. As far as depended on her good qualities, however. I felt assured at the time we were safe, for I had seen enough of the Talbot to be convinced we were in one of the finest sea-boats that ever swam. But what could all the skill of the shipbuilder avail in a situation like ours? With a night full fifteen hours long before us, and knowing that we were fast delving on the land, anxiety and dread were on every face, and every mind felt the terrors of uncertainty and suspense. At length, about twelve o'clock the dreadful truth was disclosed to us! Judge of my sensations when I saw the surf and the frowning rocks of Arran, scarcely half a mile distant on our lee-bow. To our inexpressible relief, and not less to our surprise, we fairly weathered all, and were congratulating each other on our escape, when on looking forward Iimagined I saw breakers at no great distance on our lee; and this suspicion was soon confirmed, when the moon, which shone at intervals, suddenly broke out from behind a cloud, and presented a range of tremen lous breakers, amongst which it seemed as if every sea would throw us. This height, it may be guessed, was prodigious, when they could be clearly distiguished from the forming waters of the surrounding ocean. It was a scene seldom to be witnessed, and never forgotten!" Lord have mercy on us!" was now on the lips of every one—destruction seemed inevitable. Captain Swaine whose coolness I have never seen surpassed issued his orders clearly and collectedly, when it was proposed as a last resource to drop the anchors, cut away the masts, and trust to the chance of riding out the gale. This scheme was actually determined on, and every thing was in readiness, but happily was deferred until an experiment was tried aloft. In addition to the close-reefed main topsail and fore sail,, the-top-sail and tri-sail were now set, an the result was almost magical. With a few plunges we cleared not only the reef, but a huge rock upon which I could with ease have tossed a biscuit, and in a few minutes we were inexpressibly rejoiced to observe both far astern..

We had now miraculously escaped all but certain destruction a second time, but much was yet to be feared. We had still to pass Cape Jeller, and the moments dragged on in gloomy apprehension and anxious suspense. The ship carried sail most wonderfully, and we continued to go along at the rate of seven knots, shipping very heavy seas, and labouring much—all with much solicitude looking out for day-light. The dawn at length appeared, to our great joy we saw the land several miles astern, having passed, the Cape and many other hidden dangers during the darkness, Matters on the morning of the 5th assumed a very different aspect from the last two days' experience: the wind gradually subsided, and with the sea, and a favourable breeze now springing up, we were enabled to make a good offing. I have nothing farther worth mentioning respecting ourselves than that we anchored here this morning, all safe. Fortunately no accident of consequence occurred, although several of our people were severely bruised by falls. Poor fellows! they certainly suffered enough: not a dry stitch, not a dry hammock, have they had since we sailed. Happily, however, their misfortunes are soon forgot in a dry shirt and a can of grog. Now they had just returned from a pleasure cruise.

The most melancholy part of my narrative is to be told. On coming up to our anchorage here this morning, we observed an unusually degree of curiosity and bustle in the fort; crowds of people were congregated on both sides, running to and fro, examining us through spy glasses; in short, an extraordinary commotion was apparent. The meaning of all this was but too soon made known to as by a boat coming alongside from which we learned that the unfortunate Saldanha had gone to pieces, and every man perished. Our own distruction had likewise been reckoned inevitable from the time of the discovery of the unhapppy fate of our consort, five days before hand; and hence the astonishment excited at our unexpected return. From all that could be learned concerning the dreadful castastrophe, I am inclined to believe that the Saldanha had been driven on the rocks about the time our doom appeared so certain in another quarter. Her lights were seen by the signal tower at nine o'clock of that fearful Wednesday night, December 4, after which it is supposed she went ashore on the rocks at a small bay called Ballymastaker, almost at the entrance of Lochswilly harbour. Next morning the beash was strewed with fragments of the wreck, and upwards of two hundred of the bodies of the unfortunate sufferers found washed ashore. One man—and one only out of the three hundred, is ascertained to have come ashore alive, but almost in a state of insensibility. Unhappily there was no person present to administer to his wants judiciously, and upon craving something to drink, about half a pint of whisky was given him by the country people, which almost instantly killed him! Poor Pakenham's body was only recognised this morning midst the others, and, like these, stripped quite naked by the inhuman wretches, who flocked to the wreck as to a blessing! It is even suspected that he came on shore alive, but was stripped and left to perish. Nothing could equal the audacity of the plunderers, although a party of the Lanark militia was doing duty around the wreck. But this is an ungracious and revolting subject, which no one of proper feeling would wish to dwell upon. Still less am I inclined to describe the heart-rending scene at Buncrana, where the widows of many of the sufferers are residing. The surgeon's wife, a native of Halifax has never spoken since the dreadful tidings arrived. Consolation is inadmissible, and no one has yet ventured to offer it.—*Chambers's Edinburgh Journal.*

* Two small islands lying to the west of the Isle of Mall. Tiree was formerly celebrated for a marble quarry, and a fine breed of small horses.

## TALES OF THE PEERAGE AND THE PEASANTRY.

As a *whole*, the new productions whose coming out Lady DACRE has superintended, are scarcely equal to the former ones; not from any deficiency of care or any failure of the author's talents, but from a too ambitious choice in the principal subject. A story such as that of "The Countess of Nithsdale," was scarcely a judicious selection, because the happy denouement being foreseen from the beginning, no collection of events however artful could create suspense or excite intense interest. The history of the Rebellion, the public characters of the period, and the manners of the times, were capable, indeed, of affording a secondary pleasure; and this has not been lost sight of by the writer; but these subjects were scarcely adapted to her peculiar style. They require breadth and force of handling, as well as richness of colour, to render them effective, and appear somewhat flat when painted in the minute and careful manner of Lady DACRE or her friend. All, however, has been done that the subject and the writer's powers admitted of. The character of the Countess is conceived and developed in a most able manner, from her retired unworldly education in the convent at Bruges, through her submissive consent to the marriage with Nithsdale before she had seen him, in obedience to her mother, and the first dawning of an unknown passion on his appearance, till its final growth into ardent and self-assorbing love. The *domestic* manners of the age, too, are touched, so far as is necessary to exhibit their effects upon character. The stately reserve yet real kindness of the Marchioness of Powis, even whilst making over her daughter as she would an estate, is truly done; so is the old-fashioned fidelity of the two Welsh serving-maids: and the scenes of London life, at the time of the story, are hit off with lightness and knowledge,

There are two other tales in the volumes besides "The Countess of Nithsdale:" and though occupying less space and being of a less ambitious description, they are to our tastes for more effective, as being more truthful, and better adapted to the writer's genius. "The Hampshire Cottage," is the simple history of a simple peasant girl, who afflicted with blindness on the eve of her marriage, insists upon releasing her lover from his engagements. He struggles with himself for some time; but the hard necessity of poverty at last induces him to consent, and after a while he marries another. Owing to the exertions of a neighbouring family on their return from broad, Susan Foster's sight is restored: and she finally settles far more advantageously in a worldly point of view than if her first love had been steadfast. In this there is nothing striking and nothing apparently attractive; but the general character of the village poor is so well indeed so philosophically, understood—the resignation of the sufferer and her afflicted parents, and the change which Susan's blindness works in her character, are so beautifully painted—the simple art with which the conduct of the story is managed, and the quiet power of the execution are so great—that the tale strongly reminds us of the truth of Mrs. INCHBALD's *Simple Story*, divested of its chilling and depressive effects. The language of the peasantry is not always perhaps sufficiently rustic; but this defect—if it be one—is easily excused. Pure rusticity, if readable, would not be pleasurable. We all remember POPE's illustration of true pastoral simplicity, beginning.

"Roger go vetch tha kee or else tha zun."

As a mere work of art, "The Hampshire Cottage" is the gem of the book. But as a story, "Blanche" has more variety, more extrinsic interest, and a more extensive moral. The scenes are not laid in what is generally understood by *exclusive* society; for, as we formerly observed, Lady DACRE is not an exclusive:" but the characters are those of high life; and the object of the writer is to show the folly of marrying without a competency according to our position in society. The seventh son of a poor peer, with nothing but his Captain's pay and a small allowance, falls in love with Lady Blanche, whose fortune is nearly as small as his own. He is too honourable directly to avow his passion, but it is discovered indirectly; and after various crosses, the marriage takes place: love in a year or two begins to pale; then to wane; and at last is in a fair way of becoming extinct, when illness and all but a deathbed revive it, and it is prevented from changing by a lucky legacy. The first part of the tale is not without interest in itself; and it affords in its progress a very pleasant picture of easy high breeding, and exhibits some amusing scenes and agreeable characters: but the latter part, where affection is gradually sinking under the pressure of petty annoyances and pecuniary difficulties, is done with a high degree of truth, humour, good feeling, and good taste. The visit which Lord and Lady Falkingham pay to their daughter and son-in-law at their lodgings in the country town where the regiment is quartered, is quiet, but capital; no exaggeration, no vulgar caricature, no detailed professional catalogue of plates and dishes, but merely that the dinner was overdone, with its results.

De Molton had wished the dinner to be plain and without pretension; and he had flattered himself that, by attempting nothing, they must be secure from a failure. Alas! they had the mortification of seeing both their guests scarcely able to finish what they had upon their plates, and of perceiving that Lord Falkingham helped himself three times to cheese, and that Lady Falkingham demolished full half the sponge cake at dessert! De Molton, who was habitually reserved and possessed much self-command, maintained a calm exterior; but Blanche, who, whatever might be her wish to do so, was never able to conceal her feelings for any length of time, was in a fussy state of agitation, and was the first to complain of the badness of the dinner.

Her remarks disturbed the equanimity of John Benton, who was most anxious that all should go off well. In his eagerness, he made more noise, jarred the plates, knocked the glasses together, clattered the knives and forks, and placed the dishes on the table in a more fearful, undecided manner than he was ever known to do before; constantly brushing by Lady Folkingham's cap to give a finishing touch to the arrangement of the table. Blanche's martyrdom increased every moment.

It is very easy to be tranquil, composed, and agreeable, at the head of one's table, if one has the comfortable assurance that all will proceed properly and decorously; but when one has no reliance that such will be the case, it is not so easy to preserve the careless air of perfect good-breeding; still less so, should one actually see one's guests hungry and incommoded: such tranquillity amounts to a lofty pitch of stoicism scarcely attainable by common mortals.

If the Falkinghams had smiled good-humouredly, it might have been better; but the mother preserved a civil semblance of not perceiving what was amiss, evidently treating the present as the best entertainment it was in the power of the De' Moltons to give, and considerately sparing their feelings. When the ladies retired after dinner, Lady Falkingham made no allusion to the house, the establishment, the cookery, or any part of the *ménage*, except the baby, on whose growth she expatiated, and whom she wished to see in its crib.

Blanche accordingly took her mother up stairs to the garrett; where Lady Falkingham was shocked at finding two beds in the small room. "My dear Blanche, do you allow two people to sleep in such an apartment as this? It is very bad for the baby to be so confined as to air and space.'

"My maid sleeps here just now," Blanche replied; "it cannot hurt the baby for a little while."

"The weather is so hot, I own I should dislike it very much, I always was very particular about giving you all an airy nursery. But I suppose it cannot be helped," added Lady Falkingham, cheeking herself.

"Oh, this house is horrid!" exclaimed Blanche; "if you had but come to see us in our Devonshire cottage, mamma—!"

"I wish I had, my dear."

"But you know we have this only for a time, mamma; and next year we may be quartered in a prettier country and a nicer neighbourhood, and where we can get something out of a town."

"I hope you will, my love," replied Lady Falkingham; who was resolved to dwell as little as possible upon her daughter's present discomfort, and who thought herself very kind and very meritorious in not saying what she thought, felt, and looked—viz. "I told you how it would be."

The moral intended by the writer has been stated already. The tale, however, points out another, of which we are pretty confident she never thought; and that is, the tremendous misery which an hereditary aristocracy, with its primogenitural prejudices, must inflict upon its younger members. The careless and unprincipled, indeed, may live upon the public, either as sinecurists or swindlers; but the most prudent and the most worthy are compelled to exist in a condition of comparative privation, whilst tantalized by surrounding splendour, and either stifle the natural feelings, or indulge them at the expense of peace of mind and the daily comforts of life.—*Spectator.*

*The Great American Aloe.*—One of those sights which are said to occur but once in a century, the blooming of this plant, will shortly take place in a fine specimen of the variegated variety at the Surrey Zoological Gardens. It is believed to be about seventy years old; it is calculated by gardeners that it will reach to the height of from 24 to 28 feet, that the number of flower buds will be from 3 to 4000, and that it will continue flowering nearly six weeks. A building is about to be erected for its protection, and every care taken to accelerate its developement, when, having produced its gigantic flowers, the plant perishes.

DIABOLICAL OUTRAGE.—About nine o'clock on Sunday morning last, the inhabitants of Regent's terrace, White Conduit fields, were greatly alarmed by a fellow, short in stature, deliberately discharging a gun, loaded with shot, through the windows of the first floor of one of the houses in the above terrace, and a female who was standing there had a narrow escape. The canal intervening between the houses, the ruffian got clear off; and on the following morning a similar outrage was perpetrated. The inhabitants complain of the little protection afforded them by the police—scarcely a constable ever making his appearance in this quarter.

—A decrepit old man, upwards of 90 years of age, named Robert Jones, stands committed to our gaol for trial, capitally charged with perpetrating a rape on Harriet Powell.—*Shrewsbury Chronicle.*

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